

**S/N 10/628,640**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Stautner et al.	Application:	10/628,640
Patent No.:	7,418,672	Filed:	July 28, 2003
Issued:	August 26, 2008	Docket No.:	0058-029002
Title:	INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO ACCEPT UNINTENTIONALLY DELAYED CLAIM FOR THE  
BENEFIT OF A PRIOR APPLICATION**

Dear Sir:

The above-referenced application, Serial No. 10/628,640 (referred to herein as the ‘640 application, now U.S. Patent No. 7,418,672), was filed on July 28, 2003. The ‘640 application is a continuation of parent application, Serial No 09/742,602 (now U.S. Patent No. 6,600,503, filed December 21, 2000, referred to herein as the ‘602 application), which is itself a continuation of grand-parent application, Serial No. 08/726,648 (now U.S. Patent No. 6,172,677, filed October 7, 1996, referred to herein as the ‘648 application).

At the time of filing of the present ‘640 application, priority was claimed to the parent ‘602 application and the specification of the ‘640 application was amended to reflect the claim of priority to the parent ‘602 application. See Attachment A, “Transmittal of New Application.” The referenced Transmittal did not include reference to the grandparent ‘648 application.

Under 37 C.F.R. §1.78(a)(2)(i) and (ii)<sup>1</sup>, appropriate reference to each of the parent ‘602 and grandparent ‘648 was required at the latest by October 28, 2003 (four months from the filing date of the present ‘640 application). However, the reference to the grandparent ‘648 application was not added prior to the issuance of the present ‘640 application as Patent No. 7,418,672 on August 26, 2008.

MPEP §1481.03 states: “Under certain conditions as specified below, however, a Certificate of Correction can still be used, with respect to 35 U.S.C. 120 priority, to correct: (A) the failure to make reference to a prior copending application pursuant to 37 CFR 1.78(a)(2) ... Where priority is based upon 35 U.S.C. 120 to a national application, the following conditions must be satisfied: (A) all requirements set forth in 37 CFR 1.78(a)(1) must have been met in the application which became the patent to be corrected; (B) it must be clear from the record of the patent and the parent application(s) that priority is appropriate (see MPEP § 201.11); and (C) a grantable petition to accept an unintentionally delayed claim for the benefit of a prior application must be filed, including a surcharge as set forth in 37 CFR 1.17(t), as required by 37 CFR 1.78(a)(3).”

Assignee respectfully submits that the above conditions are met in the present circumstances, and therefore submits this Petition (and fee) in conjunction with the attached Request for Certificate of Correction.

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<sup>1</sup> 37 C.F.R. §1.78(a)(2)(i) Except for a continued prosecution application filed under § 1.53(d), any nonprovisional application ... claiming the benefit of one or more prior-filed copending nonprovisional applications ... must contain or be amended to contain a reference to each such prior-filed application, identifying it by application number (consisting of the series code and serial number) ... and indicating the relationship of the applications. (ii) This reference must be submitted during the pendency of the later-filed application. If the later-filed application is an application filed under 35 U.S.C. 111(a), this reference must also be submitted within the later of four months from the actual filing date of the later-filed application or sixteen months from the filing date of the prior-filed application....

Specifically, 1.78(a)(1) states (in pertinent part): “(a)(1) A nonprovisional application ... may claim an invention disclosed in one or more prior-filed copending nonprovisional applications ... In order for an application to claim the benefit of a prior-filed copending nonprovisional application ... each prior-filed application must name as an inventor at least one inventor named in the later-filed application and disclose the named inventor's invention claimed in at least one claim of the later-filed application in the manner provided by the first paragraph of 35 U.S.C. 112. In addition, each prior-filed application must be ... (ii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and have paid therein the basic filing fee set forth in § 1.16 within the pendency of the application. “

In the present circumstances, Assignee submits that the inventorship of the present ‘640 application is the same as that of the parent ‘602 application and the grandparent ‘648 application. Further, the applications share a common disclosure and therefore the invention claimed in the present ‘640 application is disclosed in the parent ‘602 application and the grandparent ‘648 application. Finally, the grandparent ‘648 application was entitled to its filing date of October 7, 1996 and the associated filing fees were paid at the time of filing of that application (See Attachment A, “Transmittal of New Application.”). Therefore, the conditions of 37 CFR 1.78(a)(1) are met.

Further, Assignee submits that it is clear from the record of the patent and the parent application(s) that priority is appropriate. In particular, the Declaration of the grandparent ‘648 application was submitted with, and relied upon within, the present ‘640 application (See Attachment A, “Transmittal of New Application,” and Attachment B, “Declaration Submitted in ‘648 and ‘640 Applications”). Further, during prosecution, Applicant relied upon the priority date of the grandparent ‘648 application when submitting a Declaration under 37 CFR §1.131

(See Attachment C, “Response and Accompanying Declaration filed in the ‘640 Application on June 21, 2007”).

Finally, 37 C.F.R. §1.78(a)(3) states: “If the reference required by 35 U.S.C. 120 and paragraph (a)(2) of this section is presented after the time period provided by paragraph (a)(2)(ii) of this section, the claim under 35 U.S.C. 120, 121, or 365(c) for the benefit of a prior-filed copending nonprovisional application ... may be accepted if the reference identifying the prior-filed application by application number ... was unintentionally delayed. A petition to accept an unintentionally delayed claim under 35 U.S.C. 120, 121, or 365(c) for the benefit of a prior-filed application must be accompanied by: (i) The reference required by 35 U.S.C. 120 and paragraph (a)(2) of this section to the prior-filed application, unless previously submitted; (ii) The surcharge set forth in § 1.17(t); and (iii) A statement that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional.”

In response, Assignee submits that the claim under 35 U.S.C. 120 is provided herewith in the accompanying Request for Certificate of Correction, and that the required fee is also submitted herewith. Additionally, Assignee states that the entire delay between the date the claim was due under paragraph (a)(2)(ii) of this section and the date the claim was filed was unintentional.

Specifically, the Assignee of record as of June 15, 2009, EXAFLOP LLC (See Attachment D, “Assignment Recordation”) purchased the present ‘640 application and was unaware of the omission of the priority claim to the grandparent ‘648 application at the time of purchase. Assignee states that any delay since the purchase of the present ‘640 application until the filing of the present petition has been unintentional. To the best of Assignee’s knowledge

and belief, any delay since the date the claim was due and the purchase/transfer of the present '640 application was unintentional. In support of this latter statement, Assignee submits a signed statement of Michael Fletcher (see Attachment E, "STATEMENT OF MICHAEL FLETCHER OF UNINTENTIONAL DELAY IN CORRECTING CLAIM OF PRIORITY," and a signed statement of Barry Blount (see Attachment F, "STATEMENT OF BARRY BLOUNT OF UNINTENTIONAL DELAY IN CORRECTING CLAIM OF PRIORITY").

To the best of my knowledge, that all statements made in this document are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the enforceability of the Application or any patent issued therefrom.

Based on the above, consideration of this Petition and of the attached Request, and issuance of the Certificate of Correction, are respectfully requested.

Respectfully submitted,

Brake Hughes Bellermann LLP  
Customer Number 79318  
202-470-6452

Date: July 2, 2009

By: /William G. Hughes/  
William G. Hughes  
Reg. No. 46,112

# ATTACHMENT A

## Transmittal of New Application

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200303370-3

IN THE  
U.S. PATENT AND TRADEMARK OFFICE

Anticipated Classification of this application:

Class 345 Subclass 854000

Prior application:

Examiner: \_\_\_\_\_

Art Unit: 2173

Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

(X) I hereby certify that this is being deposited with the United States Postal Service "Express Mail/Post Office to Addressee" service under 37 CFR 1.10 on July 28, 2003 and is addressed to the Commissioner for Patents, Alexandria, VA 22313-1450

"Express Mail" label no. EU570308698US

OR

( ) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number \_\_\_\_\_ on \_\_\_\_\_

Number of pages:

Typed Name: N. Rhys Merritt

Signature: \_\_\_\_\_

REQUEST FOR A CONTINUING APPLICATION UNDER 37 CFR 1.53(b)

Sir:

This is a request for filing a continuing application under 37 CFR 1.53(b) a

(X) continuation application of:

( ) divisional application of:

Pending Prior Application

Application No. 09/742,602 filed 12/21/2000

Title INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES  
ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES . . .

Name of applicant(s) John P. STAUTNER, Richard J. LAWSON, Brian V. BELMONT

Copy of Application

(X) Enclosed is a copy of the prior application, including the drawings.

( ) Enclosed is a new specification, including new drawings.

Oath or Declaration

(X) Enclosed is a copy of the prior Declaration (37 CFR 1.63(d)).

( ) Enclosed is a newly executed Declaration (original or copy).

Foreign Priority - 35 USC 119

( ) Foreign priority under 35 U.S.C. 119 has been claimed in prior Application No. \_\_\_\_\_  
filed on \_\_\_\_\_ in \_\_\_\_\_

( ) The certified copy has been filed in prior Application No. \_\_\_\_\_  
filed \_\_\_\_\_

( ) A separate paper claiming direct priority to a foreign application is enclosed herewith. A certified copy of the foreign application will be provided in due course.

Relate Back - 35 USC 120

(X) Amend the specification after the title by inserting the following heading:

--Cross Reference To Related Application(s)--;

and add the paragraph:

--This is a (X) continuation ( ) divisional  
of copending application number 09/742,602 filed on 12/21/2000,  
which is hereby incorporated by reference herein.





Inventorship Statement

- ( ) Delete the following named individuals as inventors in this application in accordance with 37 CFR 1.53(b) as a result of a change in the claimed subject matter:

Appointment of Associate Attorney

- ( ) Recognize as Associate Attorney or Agent \_\_\_\_\_  
Registration No. \_\_\_\_\_  
( ) authorization is hereby granted by signature below of the Attorney or Agent of record  
( ) the Associate Attorney or Agent may not have the authority to appoint other Attorneys or Agents

Communications

- (X) Address all future communications to: Direct telephone calls to:  
  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

Other Amendments

- (X) Before calculating the filing fee, amend the prior application as follows:  
  
(X) Cancel the following claims 2-13 of the prior application before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).  
  
( ) Enter the enclosed Preliminary Amendment.

Fee Calculation

- (X) The filing fee is calculated below for (X) Utility ( ) Design

CLAIMS AS FILED BY OTHER THAN A SMALL ENTITY				
(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) TOTALS
TOTAL CLAIMS	1 — 20	0	X \$18	\$ 0
INDEPENDENT CLAIMS	1 — 3	0	X \$84	\$ 0
ANY MULTIPLE DEPENDENT CLAIMS	0		\$280	\$ 0
BASIC FEE: Design ( \$330.00 ); Utility ( \$750.00 )				\$ 750
TOTAL FILING FEE				\$ 750
TOTAL CHARGES TO DEPOSIT ACCOUNT				\$ 750

Charge \$ 750 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

By N. Rhys Merrett  
N. Rhys Merrett  
Attorney/Agent for Applicant(s)  
Reg. No. 27,250

Date: July 28, 2003

Telephone No.: (972) 862-7428



## ATTACHMENT B

Declaration Submitted in '648 and '640  
Applications

## DECLARATION

JOINT INVENTOR  
ORIGINAL

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS

as described in the specification ☒ attached or ☐ of patent Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_ and amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

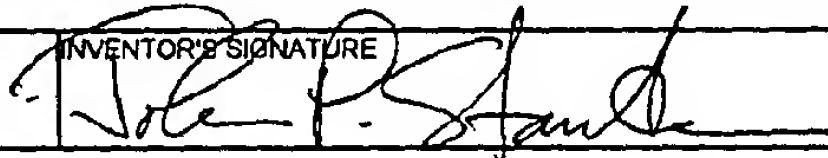
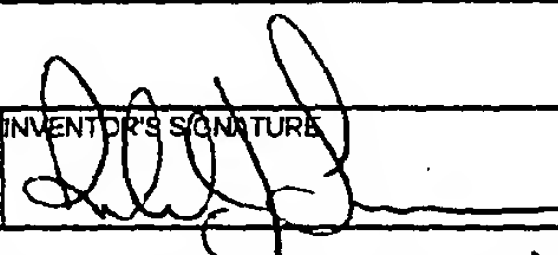

- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
  - (i) opposing an argument of unpatentability relied on by the Office, or
  - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR		INVENTOR'S SIGNATURE	DATE
JOHN P. STAUTNER			August 16, 1996
RESIDENCE		CITIZENSHIP	
24 Pastoral Pond Circle, The Woodlands, TX 77380		US	
POST OFFICE ADDRESS			
24 Pastoral Pond Circle, The Woodlands, TX 77380			
FULL NAME OF SECOND JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RICHARD J. LAWSON			9/25/1996
RESIDENCE		CITIZENSHIP	
5959 FM 1960 West, #316, Houston, TX 77069		US	
POST OFFICE ADDRESS			
5959 FM 1960 West, #316, Houston, TX 77069			
FULL NAME OF SECOND JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
BRIAN V. BELMONT			10/2/86
RESIDENCE		CITIZENSHIP	
9001 MARKVILLE DR, #1835, DALLAS, TX 75243		US	
POST OFFICE ADDRESS			
9001 MARKVILLE DR, #1835, DALLAS, TX 75243			

# ATTACHMENT C

Response and Accompanying  
Declaration filed in the '640 Application  
on June 21, 2007

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## IN THE CLAIMS

The text of all pending claims, along with their current status, is set forth below:

1-13. (Canceled).

14. (Previously Presented) A method for delivering content selection information to be displayed as a content selection guide, the method comprising the acts of:

providing content selection information from a plurality of content sources to a user,

the content selection information comprising descriptive information

associated with the content available from the plurality of content sources, the

content selection information being adapted to be displayed within a plurality

of selectable guide cells;

defining an action to be associated with content selection information that is to be

displayed in at least one of the selectable guide cells; and

defining an indicator within the at least one of the selectable guide cells, the indicator

corresponding to the action, to allow the user to initiate the action by selecting

the indicator.

15. (Previously Presented) The method set forth in claim 14, comprising defining an icon to correspond to and represent the indicator.

16. (Previously Presented) The method set forth in claim 14, comprising defining a format for the plurality of selectable guide cells, the format being selectable based on a user input.

17. (Previously Presented) The method set forth in claim 16, comprising defining the format to be selectable from among a plurality of predetermined formats.
18. (Previously Presented) The method set forth in claim 14, comprising defining the action to comprise executing an application on a computer system.
19. (Previously Presented) The method set forth in claim 14, comprising providing updated content selection information.
20. (Previously Presented) The method set forth in claim 14, comprising defining the action to comprise displaying an advertisement.
21. (Previously Presented) The method set forth in claim 14, comprising defining the action to comprise making a purchase.
22. (Previously Presented) The method set forth in claim 14, comprising adapting the content selection information to be displayed on a computer system.
23. (Previously Presented) The method set forth in claim 14, comprising storing the content selection information in a database on a computer system.
24. (Previously Presented) The method set forth in claim 14, comprising delivering the content selection information to a user via a wireless communication channel.

25. (Previously Presented) A system for delivering content selection information to be displayed as a content selection guide, the system comprising:

- means for providing content selection information from a plurality of content sources to a user, the content selection information being adapted to be displayed within a plurality of selectable guide cells;
- means for associating an action to with content selection information that is to be displayed in at least one of the selectable guide cells; and
- means for providing an indicator within the at least one of the selectable guide cells, the indicator corresponding to the action, to allow the user to initiate the action by selecting the indicator.

26. (Previously Presented) The system set forth in claim 25, wherein an icon is defined to correspond to and represent the indicator.

27. (Previously Presented) The system set forth in claim 25, wherein a format is defined for the plurality of selectable guide cells, the format being selectable based on a user input.

28. (Previously Presented) The system set forth in claim 27, wherein the format is defined to be selectable from among a plurality of predetermined formats.

29. (Previously Presented) The system set forth in claim 25, wherein the action is defined to comprise executing an application on a computer system.



30. The system set forth in claim 25, wherein updated content selection information is provided.

31. (Previously Presented) The system set forth in claim 25, wherein the action is defined to comprise displaying an advertisement.

32. (Previously Presented) The system set forth in claim 25, wherein the action is defined to comprise making a purchase.

33. The system set forth in claim 25, wherein the content selection information is adapted to be displayed on a computer system.

34. (Previously Presented) The system set forth in claim 25, wherein the content selection information is adapted to be stored in a database on a computer system.

35. (Previously Presented) The system set forth in claim 25, comprising means for delivering the content selection information to a user via a wireless communication channel.

36. (Previously Presented) A machine readable medium, comprising:

a program stored on the machine readable medium, the program being adapted to:

provide content selection information from a plurality of content sources to be

displayed as a content selection guide to a user, the content selection

information comprising descriptive information associated with the

content available from the plurality of content sources, the content

selection information being adapted to be displayed within a plurality of selectable guide cells;

define an action to be associated with content selection information that is to be displayed in at least one of the selectable guide cells; and

define an indicator within the at least one of the selectable guide cells, the indicator corresponding to the action, to allow the user to initiate the action by selecting the indicator.

37. (Previously Presented) The machine readable medium set forth in claim 36, wherein an icon is defined to correspond to and represent the indicator.

38. (Previously Presented) The machine readable medium set forth in claim 36, wherein a format is defined for the plurality of selectable guide cells, the format being selectable based on a user input.

39. (Previously Presented) The machine readable medium set forth in claim 38, wherein the format is defined to be selectable from among a plurality of predetermined formats.

40. (Previously Presented) The machine readable medium set forth in claim 36, wherein the action is defined to comprise executing an application on a computer system.

41. (Previously Presented) The machine readable medium set forth in claim 36, wherein the program is adapted to provide updated content selection information.

42. (Previously Presented) The machine readable medium set forth in claim 36, wherein the action is defined to comprise displaying an advertisement.

43. (Previously Presented) The machine readable medium set forth in claim 36, wherein the action is defined to comprise making a purchase.

44. (Previously Presented) The machine readable medium set forth in claim 36, wherein the content selection information is adapted to be displayed on a computer system.

45. (Previously Presented) The machine readable medium set forth in claim 36, wherein the content selection information is adapted to be stored in a database on a computer system.

46. (Previously Presented) The machine readable medium set forth in claim 36, wherein the program is adapted to deliver the content selection information to a user via a wireless communication channel.

## **REMARKS**

The Applicant is filing this Response to Office Action in response to an Official Action dated February 23, 2007. At the time of the Official Action, claims 14-46 were pending. In this Response and Amendment, no claims are canceled or added. Accordingly, claims 14-46 remain currently pending.

### **Claim Rejections under the Doctrine of Obviousness-Type Double Patenting**

In the Office Action, the Examiner rejected claims 14-46 under the judicially created doctrine of obviousness-type double patenting over claims 1-20 of U.S. Patent No. 6,600,503, which is the parent of the present continuing application. Although Applicants do not concede that the present claims 14-46 are obvious over claims 1-20 of the parent application, the Applicants are willing to file a terminal disclaimer to further prosecution of the case when the claims are indicated as allowable.

### **The Rejection Under 35 U.S.C. § 102(e)**

In the Office Action, claims 14-46 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,025,837 to Matthews, III et al. (“the Matthews reference”). With respect to the rejection of claims 14-46 under Section 102 based on the Matthews reference, Applicants are submitting herewith a declaration pursuant to 37 C.F.R §1.131 along with supporting evidence sufficient to remove the Matthews reference as prior art.

To establish prior invention, an applicant must present a “showing of facts [that] shall be such, in character and weight, as to establish...conception of the invention prior to the effective date of the reference coupled with due diligence from prior to said date to

a subsequent reduction to practice or to the filing of the application.” 37 C.F.R. §

1.131(b). Applicants respectfully submit that such a showing is made by Declaration of Richard Lawson Under 37 C.F.R §1.131 (“the Lawson Declaration”), and the accompanying exhibits.<sup>1</sup>

On its face, the Matthews reference has an actual filing date of March 29, 1996 and there is no priority claim to other applications. As such, the earliest possible date on which the Matthews patent may rely for priority is March 29, 1996. Applicants respectfully assert that the accompanying Rule 131 declaration establishes conception of the instant invention prior to March 29, 1996. Additionally, Applicants assert that the accompanying exhibits establish diligence prior to that date up to the filing of U.S. Ser. No. 08/726,628 (now U.S. Pat. No. 6,600,503) on October 7, 1996. U.S. Ser. No. 08/726,628 is a grandparent application of the instant application and will be referred to herein as “the grandparent application.”

As set forth in the Lawson Declaration, Mr. Lawson and co-inventors John P. Stautner and Brian V. Belmont, conceived of the subject matter of the instant application prior to March 29, 1996. Lawson Declaration, ¶ 4. The conception is evidenced by a “General Background and Description of the Invention” document, a “Product Profile” document, and concept sketches. Each of the documents was prepared prior to March 29, 1996 and true and correct redacted copies are attached as Exhibits A, B, and C, respectively.

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<sup>1</sup> Co-inventors John P. Stautner and Brian V. Belmont are no longer employed with HP. As such, they are not available to provide declarations. The Applicants respectfully submit that, under the circumstances, the Lawson Declaration and supporting exhibits are the best evidence available of the conception of the invention.

Specifically, as set forth in the Lawson Declaration, Mr. Lawson, John Stautner, and Brian Belmont conceived of an integrated content guide that delivers content selection information to be displayed as a content selection guide. *See* Lawson Declaration, ¶ 5; Exhibit A, pages 2-3, “3. The Integrated Content Guide”; Exhibit B page 1, “The Product Description”; Exhibit C, Fig. 1. The integrated content guide provides content selection information from a plurality of content sources to a user, the content selection information comprising descriptive information associated with the content available from the plurality of content sources, the content selection information being adapted to be displayed within a plurality of selectable guide cells. Exhibit A, pages 2-3 and 5, “3. The Integrated Content Guide” and “3.5 Integration of Multiple Sources”; Exhibit B, pages 2-3, “Product Features”; Exhibit C, Figs. 2-3. Additionally, the integrated content guide defines an action to be associated with content selection information that is to be displayed in at least one of the selectable guide cells. *Id.* The integrated content guide also defines an indicator within the at least one of the selectable guide cells, the indicator corresponding to the action, to allow the user to initiate the action by selecting the indicator. Exhibit A, at pages 3-4, “3.1 Embedded Icons”; Exhibit B, pages 2-3 “Product Features”; Exhibit C, Figs. 2-3.

With respect to diligence from the conception evidenced by Exhibits A, B and C to the time of filing of the grandparent application on October 7, 1996, Applicants submit herewith Exhibits D through U, which document the significant activity undertaken to prepare the grandparent application. Exhibit D purports to be a redacted email sent from Compaq’s Legal Department confirming receipt of an invention disclosure for the subject matter of the instant application. Exhibit E purports to be a copy of a redacted letter from Compaq’s Legal Department to a law firm requesting a quote for the preparation of a patent application for the subject matter of the instant application. Exhibit F purports to

be a redacted internal memorandum of the law firm requesting that a file be opened for a patent application for the subject matter of the instant application.

Exhibit G purports to be a letter from the law firm to Compaq's legal department forwarding a first draft of a patent application for the subject matter of the instant application and a redacted fax cover sheet evidencing transmission of the letter and draft application. Exhibit H purports to be a redacted internal memorandum of the law firm indicating that the inventors are still reviewing the application. Exhibit I purports to be a redacted fax message from the law firm to a patent draftsman indicating that minor changes to the figures as needed. Exhibit J purports to be a redacted letter from the law firm to the Compaq legal department forwarding a copy of the patent application, which was revised in view of inventor feedback.

Exhibit K purports to be a redacted letter from the law firm forwarding a declaration for the inventors to sign. Exhibit L purports to be a redacted letter from the law firm to the Compaq legal department forwarding a further revised draft of the patent application. Exhibit M purports to be a redacted fax cover sheet from the law firm to co-inventor Brian Belmont forwarding pages which include changes to the patent application and a copy of the new FIG. 5 for review. Exhibit N purports to be a redacted letter forwarding still another revised draft of the patent application incorporating further inventor feedback and formal papers for the application. Exhibit O purports to be a redacted letter from the law firm to Compaq forwarding yet another revised version of the patent application.



Exhibit P purports to be a redacted letter to Mr. Lawson forwarding a revised draft of the application and a new declaration and assignment. Exhibit Q purports to be a redacted copy of a letter from the law firm forwarding a copy of a letter sent to Mr. Lawson (Exhibit P) to the Compaq legal department. Exhibit R purports to be a redacted letter from the law firm to co-inventor Brian Belmont forwarding a copy of the patent application and formal papers for Mr. Belmont's signature. Exhibit S purports to be a redacted fax cover sheet from the law firm transmitting a redacted executed assignment for the patent application to Compaq. Exhibit T purports to be a redacted letter from Compaq forwarding a Power of Attorney for the patent application to the law firm. Exhibit U purports to be a transmittal letter attesting to the filing of the grandparent patent application on October 7, 1996.

Based on these facts, the Applicants respectfully assert that a showing has been made that the invention disclosed and claimed in the instant patent application was conceived prior to March 29, 1996. Additionally, diligent efforts were made from the time of conception through the filing of the grandparent application on October 7, 1996. Thus, the Applicants respectfully assert that prior invention has been demonstrated with respect to the Matthews reference. Because of the Applicants' prior invention, the Matthews reference is not prior art to the instant application. Accordingly, Applicants respectfully assert that the rejections of claims 14-46 based on the Matthews reference should be withdrawn. An indication of the allowability of all claims is earnestly solicited.

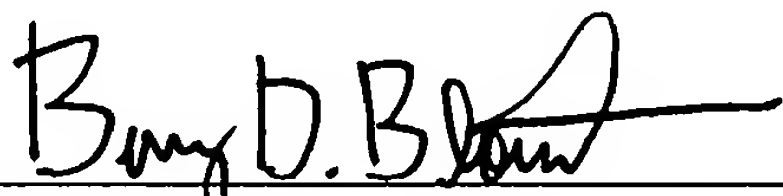
### **Conclusion**

In view of the remarks set forth above, the Applicant respectfully requests reconsideration of the Examiner's rejections and allowance of all pending claims 14-46. If

the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

Date: June 21, 2007

  
\_\_\_\_\_  
Barry D. Blount  
Reg. No. 35,069  
(281) 970-4545

**CORRESPONDENCE ADDRESS:**  
**HEWLETT-PACKARD COMPANY**  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
John P. Stautner et al.

Serial No.: 10/628,640  
Filed: July 28, 2003

For: Integrated Content Guide for  
Interactive Selection of Content  
and Services on Personal  
Computer Systems with  
Multiple Sources and Multiple  
Media Presentation

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Group Art Unit: 2179

Examiner: Bautista, Xiomara L.

Atty. Docket:  
200303370-5  
NUHP:0201-2 FLE/BLT/PET

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313

CERTIFICATE OF TRANSMISSION OR MAILING  
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service as First Class Mail with sufficient postage in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, Alexandria, VA 22313, on the date below:

6-21-07

Date

  
Jeanna Reed

Sir:

**DECLARATION OF RICHARD LAWSON UNDER 37 C.F.R. § 1.131**

I, Richard Lawson, hereby declare as follows:

1. I am an engineer at Hewlett-Packard Company.
2. I am an inventor of the above-referenced application.
3. My residence and business addresses are set forth below, along with my signature.
4. The subject matter disclosed and claimed in the above-referenced application was conceived before March 29, 1996. This conception is evidenced by a "General Background and Description of Invention" document (attached hereto as Exhibit A), a "Product Profile"

document (attached hereto as Exhibit B), and concept sketches (attached hereto as Exhibit C). Exhibits A, B and C are true and correct copies of these respective documents with dates and other extraneous information redacted.


5. As set forth in Exhibits A, B, and C, my co-inventors John Stautner, Brian Belmont and I conceived of an integrated content guide that delivers content selection information to be displayed as a content selection guide. See Exhibit A, pages 2-3, "3. The Integrated Content Guide"; Exhibit B page 1, "The Product Description"; Exhibit C, Fig. 1. The integrated content guide provides content selection information from a plurality of content sources to a user, the content selection information comprising descriptive information associated with the content available from the plurality of content sources, the content selection information being adapted to be displayed within a plurality of selectable guide cells. Exhibit A, pages 2-3 and 5, "3. The Integrated Content Guide" and "3.5 Integration of Multiple Sources"; Exhibit B, pages 2-3, "Product Features"; Exhibit C, Figs. 2-3. Additionally, the integrated content guide defines an action to be associated with content selection information that is to be displayed in at least one of the selectable guide cells. *Id.* The integrated content guide also defines an indicator within the at least one of the selectable guide cells, the indicator corresponding to the action, to allow the user to initiate the action by selecting the indicator. Exhibit A, at pages 3-4, "3.1 Embedded Icons"; Exhibit B, pages 2-3 "Product Features"; Exhibit C, Figs. 2-3.

6. The subject matter disclosed and claimed in the above-referenced application was conceived in the United States.

7. I declare further that all statements made herein are of my own knowledge, are true and that all statements made on information and belief are believed to be true, and further,

that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Dated: 6/20/2007

By:   
Richard Lawson

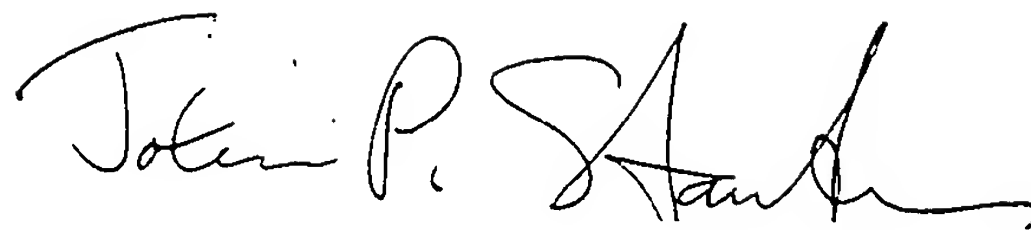
Declarant's Full Name: Richard Lawson

Country of Citizenship: U.S.A.

Residence Address: Santa Clara, CA

Business Address: Hewlett-Packard Company  
10955 Tantau Avenue, Bldg. 45NM  
MS 4296  
Cupertino, CA

# EXHIBIT A



## Integrated Content Guide

Redacted

### *General Background and Description of Invention*

**REDACTED**

Disclosed by: John P. Stautner, Richard Lawson, Brian Belmont

Redacted

Redacted

#### **1. Usage Environment: Computer Systems for Information and Entertainment Viewing**

The invention is a system for providing information on electronic entertainment and information program content and related services and information. This invention is a software system embedded in a personal computer/television system (see related disclosure, "A computer system designed for distance viewing of multiple media sources"). A brief background description of the computer system for the purposes of this disclosure follows.

The computer system is a personal computer system which consolidates access to multiple sources of electronic signals. Although the computer system is designed to incorporate a large screen computer monitor suitable for viewing at a distance, the invention described in this disclosure is not limited to use with large monitors, but can be used with monitors of all sizes. The computer system incorporates integrated hardware and software functionality whereby electronic signals from a multiplicity of sources and types can be acquired digitally by the system processing unit and interpreted, processed, played back or displayed. Examples of signal sources include: broadcast analog television transmission; cable analog television transmission; digital data broadcast with the analog broadcast television signal and carried on the waveform in the vertical blanking interval (VBI) or in other parts of the video waveform, including the picture portion; digital data received by cable modem; satellite digital video transmission; telephone modem, including ISDN (Integrated Services Digital Network) services; wireless transmission; AM and FM radio broadcast; prepackaged digital media, such as CD-ROM, removeable magnetic diskette, fixed magnetic hard drive, and digital tape; analog audio and video signals from auxiliary equipment such as a videocassette recorder (VCR), audio CD player, or analog cassette audio recorder/player; and other electronic signal sources.

The computer system is capable of acquiring this multiplicity of electronic signals and presenting them to the user in a format appropriate and suitable for usage. In the case of broadcast television signals, these are received and converted to a moving digital graphical display and displayed on the system's monitor, and the accompanying audio signals are received and converted to digital samples and then played through the system's digital to analog converters. The signal acquisition method and processing used to present the signal which is received will vary depending on what kind of signal source is received. In the case of signal sources which deliver digital data, the processing method used to interpret and present the signal may further depend on digital information contained in the data, or on the context (or specific program) in which the data is received.

In addition to the signal acquisition and presentation capabilities of the computer system, the system is also capable of transmitting digital information. Such means may include convention telephone modem, ISDN modem, and cable modem. Such information may be transmitted in order to cause additional signal content to be sent from a remote source to the computer system over one or more broadcast means, or such

Redacted

**REDACTED**



information may be transmitted by the user in response to content displayed by the computer system as a result of receiving a broadcast signal.

## 2. Motivation for Invention

A complex computer system such as the one described, capable of integrating many possible signal delivery methods, information sources and methods of response and interaction, offers a rich and diverse source of entertainment and information content. However, an immediate concern with respect to such a wide selection of signal and content types is that it may become unwieldy and inconvenient to choose and select which signal and content to view and/or listen to. In conventional approaches, once a selection is made or in use, it may be difficult or time consuming to change to or investigate another signal/content source without entering complex commands. In the case of searching and finding content delivered over different means (for example, a television broadcast signal and a modem data signal), it may be necessary to consult two separate sources of information or "content guides" to determine what content of interest may be available.

Another concern is the ease with which actions can be prompted to the user on one signal type and carried out using another signal type. A simple example is that of an advertisement on television containing a telephone number for placing an order to purchase goods. The conventional method for taking action would be for the user to note the telephone number, pick up the telephone, dial the telephone number, request the specific merchandise, and provide a credit card number or other billing information to an operator. In another example, a television program may contain a reference to an electronic address to an on-line site, which is accessible through the use of the modem and an on-line service provider. It may require several steps for a user to note the address, change to a communications program on the computer system, connect to an on-line service, enter the address, and then view the contents of the on-line site.

This invention, the "integrated content guide" (ICG) and its associated features, provides an integrated solution for searching and finding content of interest both within and across a multiplicity of signal types, and further provides an integrated approach for the presentation of advertising content and other information which is linked and/or related to (or in the context of) the content guide information.

## 3. The Integrated Content Guide

The ICG is a software application which contains information about content available on a multiplicity of services such as television, digital satellite service, on-line service, internet, private service, services stored on local magnetic hard drive, and other services. The ICG may contain information about these services individually, or may combine information about service offerings which are related. The ICG utilizes a database containing descriptive information about these services. Furthermore, the database may contain additional information such as advertising graphics or special interest messages, embedded commands which can be invoked to cause the computer system to execute a specific action, and graphical icons and other means to indicate the availability of additional information, graphics, or embedded commands. The ICG reads these data and their types from the database and displays them for the user to navigate. In providing this function, the ICG effectively consolidates and presents a single, coherent, and informative controlling front-end which may be used to navigate, select, and take other actions on the multiplicity of signal types and diverse services available on the computer system.

The database for the ICG is stored locally on the computer system's magnetic hard drive. The database must be frequently updated to contain updated content service information, updated advertisements, and other information. The database digital content is acquired and stored on the hard drive utilizing one or more of the computer system's means of digital data acquisition. For example, the database information may be carried within and acquired from the VBI of a broadcast television signal, or it may be delivered using the modem to dial into an on-line service.

There are many ways to display the information to the user which may be selected by the user depending on the mode of operation. However, the modes of presentation will generally feature graphically distinct regions of the display which are associated with a particular program or item of interest. Let us refer to these as "cells". In conventional electronic program guides, such as those used with television (and in some cases embedded into the television set), a cell is associated with a television program and contains the title of the television program. Typically, the cells are arranged graphically according to the channel (vertical positioning) and the time span (horizontal dimension) for the program. This arrangement is commonly referred to as a "grid guide." In a typical configuration, the television channel numbers (or other station identifiers) are listed from top to bottom on the left side of the display, and the time of day is demarcated in equal intervals from left to right at the top of the display. The cells containing the program listing are displayed to subsume the appropriate channel, start time, and duration coordinates on the display. Typically, a navigational device such as arrow keys or other pointing or control means on a remote control are used to select (or highlight) a particular cell. An additional action, such as pressing a button on the remote, may be used to cause the television to tune the channel which was selected. The pointing or control means on the remote may also be used to cause the display to advance forward or backward in time, or up and down through the available channels. In some cases, pushing a button may reveal additional program information contained in the program guide.

The ICG and its associated database provide an overall graphical presentation and navigational front end for the user which integrates diverse content sources and provides embedded control over the computer system used to present the content. The ICG is unique in that it exploits the fact that it is deployed on a general purpose personal computer system, or more specifically, on personal computer system which is "a computer system designed for distance viewing of multiple media sources." The combination of computer system functionality with television content viewing may be exploited by introducing several novel new functions into the program guide functionality, thus leading to the ICG.

Items which comprise the key aspects of the invention include:

- 3.1 Embedded Icons.** Embedded icons. Icons which are displayed in the individual cells which contain program information. These icons are symbolic links to commands which may be invoked by the user and performed by the computer system. Examples of actions include the following:
- Display of advertising graphic stored locally on hard disk;
  - Display of moving video and sound stored locally on hard disk;
  - Automatic dial-out to an on-line service or file server;
  - Display of html (hyper-text mark-up language) page with active links that cause further actions to be taken;
  - Display of text related to television program material which prompts the viewer for an action. For example, a political talk show may poll viewers by prompting them for an auto dial-in vote on a specific question;
  - Launch of auxiliary software executable application (stored on hard disk) related to tv program content. For example, a play along version of wheel-of-fortune may be delivered along with the program guide content so that the users at home can also play the same game that's being broadcast on TV.
  - Launch of a software executable application which displays merchandise related to tv program content and which permits the user to select items to buy and then automatically dial-out for order placement using credit card or other payment means. In fully automated usage, the credit card information and shipping address is stored in data file on the hard disk. Selection of merchandise is made within the software program, and the relevant information is retained in memory or in a disk file as a data structure or "shopping basket" file. In this manner, a purchase decision can be made quickly and easily. When the user is ready to place the orders for items purchased, a separate action causes dial-out to a service for automated order placement.
  - Indicate the availability of simultaneous usage of pre-packaged software in conjunction with a broadcast television program.

**3.2 Stored Sequences of Executable Operations and/or Commands Embedded in Cells and Icons, providing Uniform Ease of Access to Content and Services.** Each cell or entry in the ICG contains information about particular content available from one or more sources offered using the computer system and its associated conduits and services. The computational means to access this information depends on the particular conduit and service offered. In order to provide the appearance and experience to the user of "uniform ease of access" to content and services listed in the ICG, the sequence of computational steps required to access the content or service are aggregated and stored in the cell or in an icon within the cell. For the user, it will appear that a single action such as positioning an on-screen cursor over a cell or icon and then pushing a button ("launching") is a uniform and consistent method to access the listed content or service. Other examples of launching may be to use a "double-click" instead of a single button push, using a voice activated command, such as the word "go," using alternative keys, such as the "Enter" key a special key such as ALT-g on a keyboard, etc.

Examples of uniform access of content or services through the ICG using stored sequences of executable operations follow:

- Tuning to a television program. Launching a cell containing a television show listing invokes a sequence of commands which start the TV software application (if not already running), issues the command and parameters to the TV application to change to the channel number contained in the cell for the program listing, and present the television image and sound.
- Entering a forum and chat session on an on-line service. Launching a cell (or an icon in a cell) containing the listing for the forum & chat session invokes sequence of commands which start the on-line service software application, enter a pre-stored user name into the user name field, start dial-out to the service, wait for connection and log on to the on-line service, and issue a keyword to the on-line service causing it to begin access the forum & chat session. In this example, the sequence of commands, including the name of the on-line service, the application name, and the particular keyword used to access the forum and chat session is stored in the ICG database and associated with the particular cell or icon in the listing.
- Viewing an advertisement or offer of merchandise. Launching an icon in a cell invokes a command to start an executable application which displays an advertisement or offer for the purchase of merchandise. The executable application itself is contained in a file on the hard disk drive which is delivered to the computer system along with the ICG data. The name of the application, the file pathname (the specification of where the file is located in the filesystem), and optionally, a special icon <sup>are</sup> stored in the ICG database and associated with a particular cell in the ICG. The icon which is displayed in the cell is either the same icon associated with the executable, or may be a separate and special icon which has been designed to entice user action when viewed in the context of the ICG.

**3.3 Stored Sequences embedded in Cells and Icons in the ICG which are Contextually Related to the Information Presented in the ICG and its Cells and Provide Access at the user's likely "Moments of Interest."** An important advantage of embedding sequences of commands in the cells and icons of the ICG is that the command actions can be relevant to the "context" of the overall information present in the ICG. For example, suppose a user is interested in guide entries (cells) related to sports programs on television. A contextually relevant icon placed in this cell would also be related to the sport interest. For example, a contextually relevant icon could embed a sequence of commands which, when launched, display an advertisement and offer for the purchase of sport merchandise. In another example, a contextually relevant icon could embed a sequence of commands which, when launched, cause the computer system to dial out to an on-line service and enter a sports service area and display additional sports information. By embedding icons with sequences of commands which are relevant to the ICG information listings, the user is more likely to be interested in invoking the commands, as they are presented in a context of the user's current interest and activity. Therefore, the contextually placed icons increase the likelihood of capturing a user's *moments of interest* and providing relevant actions which are conveniently accessed which the user can invoke.



**3.4 Animated and Three-dimensional Icons embedded in ICG Cells.** The icons which are displayed in the ICG cells represent a wide range of embedded actions, advertising opportunities, and additional information, as described above. As such, they are similar in function to "billboards" which are encountered on the road or other forms of advertising which are designed to capture a viewer's attention. Design of the icons embedded in the ICG cells and elsewhere in the ICG may follow design approaches which are unique and designed to capture the user's attention. Such design improvements include the creation of icons with a "three-dimensional look," and icons which are moving or which carry out an animated sequence of movements. An example might be an advertiser's spinning logo. Another example is a standardized icon showing the availability of merchandise for sale. Another example is an animated figure inviting the user to invoke the icon. In such animated displays, the computational instructions to execute the three dimensional animation are executed in real-time on the computer system. The executable instructions which specify the movement of the animated icons are contained in the ICG database.

**3.5 Integration of Multiple Sources.** The ICG provides a single point of entry to multiple sources. The listings in the cells are not restricted to television channel content, but can be intermixed with other service offerings such as digital satellite delivery and on-line service offerings. For example, the availability of a "chat session" from 8:00 to 10:00 PM on a particular on-line service may be presented next to a program listing for a movie from 8:00 to 10:00 PM on a broadcast television channel. "Clicking" on the chat session cell causes the computer execute the embedded commands and dial out to the on-line service and enter the chat session directly. Clicking on the movie cell causes the computer to tune to channel and display the television signal and sound. This manner of presentation of information and embedded commands by the ICG has the effect of unifying access to a diverse range of content and services and providing "uniform ease of access."

This uniform ease of access in a content guide, resulting from the integration and consolidated control of multiple sources, is a novel capability which can motivate access to content dependent on the context of usage. This capability makes it a natural act to explore additional information or enter into services which lead the user to other areas to which he/she might not normally go. In effect, the ICG has reduced the complicated actions such as entering an on-line service, displaying a web page, or launching a program from disk, to actions which are as natural and simple as tuning a television channel.

**3.6 Automatic learning of usage preferences.** The ICG further takes advantage of the computer system and the time of day available information available on the system to learn usage patterns. A log file is created which stores patterns of usage and facilitates likely settings at next use. For example, if the user often watches the 10:00 news on a particular channel on every weeknight, then that option is presented if the computer system is turned on at or near that time. If the user shows a preference for watching movies, then the guide displays program material containing only movies at the top of the guide listing. In this way, the ICG customizes its displays to provide rapid access to commonly used selections and times.

**3.7 Arrangement of Cells in ICG According to Interest Profiles.** A user may wish to re-arrange the ICG listings by grouping the cells in terms of interest. A search capability contained in the ICG identifies all cell entries containing information of a selected category or containing a keyword used in the search. The search results in the ICG displaying only the cells which have been identified. The cells are displayed in a grid fashion, where time increases horizontally. However, the vertical dimension is no longer a "channel" dimension, but rather, is simply a listing of all items found as a result of the search and which correspond to the listed time. The channel or source identification itself is now displayed or indicated within the cell listing itself.

# EXHIBIT B

This File Was Last Updated On  
Original MRO.

Redacted

It Was Part Of My  
Richard Lawson

# The Electronic Television Programming Guide

## Product Profile

### Team:

Richard Lawson (owner of the document)  
Brian Belmont  
Jeff Lininger

### Target Market:

This product is targeted to the same customer as Bonfire and will be one of the key applications that is bundled with Bonfire. The distribution strategy is also the same as Bonfire.



*Where do you want to go tonight?*

### The Problem:

These days, it's not easy to find the programs you want to watch or the time to watch them. With so many channels, so many cable suppliers, multiple remotes, and hard to program VCRs, TV just isn't as simple as it used to be. Just the simple task of matching up your cable listings with what's printed in the weekly newspaper guides can be a nightmare in itself. So why can't it be as simple as "this is what I want to watch and a single click takes you there" or "this is the information I want and a single click takes you there".

(note: possibly expand other problems like VCR record, Full screen Guides and other)

### The Product Description:

With Bonfire, the electronic television program guide has the ability to place at your fingertips an exciting new way to locate programs and manage the many channels offered today over broadcast and cable. It is a product that will enhance TV viewing, simplify VCR recording, and provide easy access to other related types of information whether they be TV based or PC based. In addition it is likely to be one of the most used applications and will likely to serve as an initial example of how the TV and PC can converge.

Once the guide is setup, it will provide a listing of TV shows in a familiar easy-to-read personalized format that provides the ability to instantly change to the show that is desired. To record a program, the user will just need to select a show from the program guide and click on the record button. No more hassle with the VCR. The guide will perform the action as well as keep track of everything that the user has asked it to record. The television guide will be updated to reflect 7 days worth of listings via some electronic method (The method and frequency of updates is yet to be determined). It will also serve as a way for users to directly connect to other related sources of information. For example, clicking on the NBC logo might automatically take the user into NBC's Web page where the user could find out more about NBC's new nightly lineup, purchase NBC memorabilia or it could take the user directly into a specific show's web page. Another example would be where the user clicks on the Campbell's

Soup icon and elects to receive a copy of the recipe that was just aired in a commercial. There are two main strengths behind this inter-data linking. First, the wow factor of showing how the PC and TV can act together. Second, is it could represent a way for Compaq to participate in residual revenue opportunities.

Please note that this product is not intended to represent the final solution but it will help to set the groundwork in acting as an enabler to drive the TV/PC convergence. It is also not intended to be the main navigational for the TV and PC.

The features below are divided into a top 12 list which are necessary to support the September launch of Bonfire. The next list of features would help to provide some additional product differentiation over other electronic guides that exist in the market as well as add to the WOW factor. However they are not required for shipments in *Redacted*

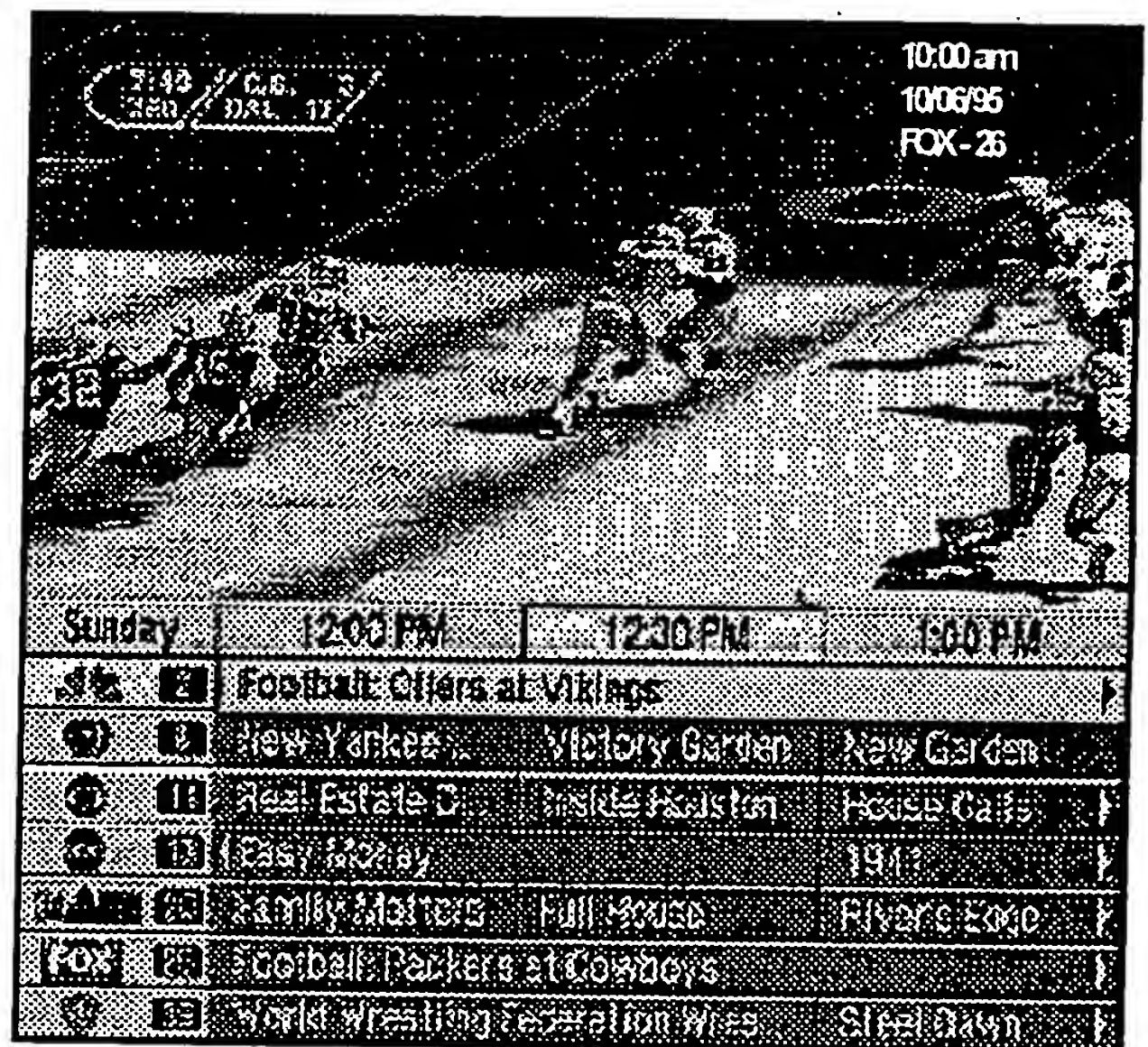
### Product Features:

The television guide should support these top 12 features. Everything beyond these 12 will only provide additional product differentiation and add to the WOW factor.

- 1) Display a familiar format that allows users to find out what is on TV, then allow them to tune directly to the desired channel
- 2) Accurate channel mapping
- 3) Always provide 7 days worth of listings
- 4) Ability to edit the channel listing  
(Add/Delete/Change/Lockout)
- 5) Quick and easy navigation through the channel listing from the remote or keyboard.

Page to page  
Within each page  
Tune/Select  
Day to day

- 6) One button VCR programming
- 7) View & Edit the list of programs that were selected to be recorded
- 8) Ability to link to other information from within the guide
  - \* One example: clicking on an icon that is placed in the guide by us or by an advertiser will take the user to a specific web page.
  - \* Another example: allowing hooks to be embedded that would link to specific CD-ROM based movie reviews applications
  - \* Another example: allowing advertisers to embedded an icon that would automatically link the user to their web page or service area (private network)
- 9) The graphics must look cool and be legible from the normal distance.
  - \* This will help determine the number of show listed in each page
- 10) Need a way to demonstrate the product
- 11) Need to support category or theme listings and keyword search capabilities
- 12) Need to provide additional show information when requested via two different ways





\* One - When the guide is not running and the user selects show information, a small box will appear indicating what is on that channel along with a very short description. This small box would appear every time the channel is changed and remain for a few seconds then disappear.

\* Two - When the guide is displayed on the screen and the user selects show information, a larger box appears with more information. It will remain until the user takes action to lose it.

This next list of features are not required for shipments in *Redacted* However, they should be considered for future versions of the product.

- 13) Must be able to view the currently tuned show and the guide at the same time (WOW)
- 14) Ability to create user specific viewing lists (Dad's list, Mom's list, etc.)
- 15) Ability to merge DSS TV guide data with Bonfire TV guide to create only one list
- 16) Provide an electronic way to upgrade version 1.0 users to the next version
- 17) Display the broadcasters logos in the channel listing along side the local station letters and number.
- 18) The guide should be able to receive updated information from different types of sources (VBI, POTS Modem, DSS, Cable Modem)
- 19) Ability to link in other service offerings: News, Sports, Weather, Gaming, etc.
- 20) Ability to have sub categories or themes
- 21) Provide several formats or views that the user can select from, such as a alphabetical listing, listing sorted by broadcaster, an expanded format that displays more listings, and etc.
- 22) Display 2hours of information per page
- 23) Color the program listings:
  - Dark Green: other or user specified
  - Brown: Movies
  - Green: Children
  - Purple: Sports
  - Blue: News
  - Red: Marked to record
- 24) Allow user to select an evenings worth of viewing and manage the changes for them.

### **Possible Vendors:**

See the attached feature comparison chart (TBD) for Harmon Interactive, Gemstar, Starsight, Video Guide, and Prevue Interactive

### **Special Requirements:**

The main navigational operations need to be linked with the remote.

### **Support/Service Requirements:**

TBD

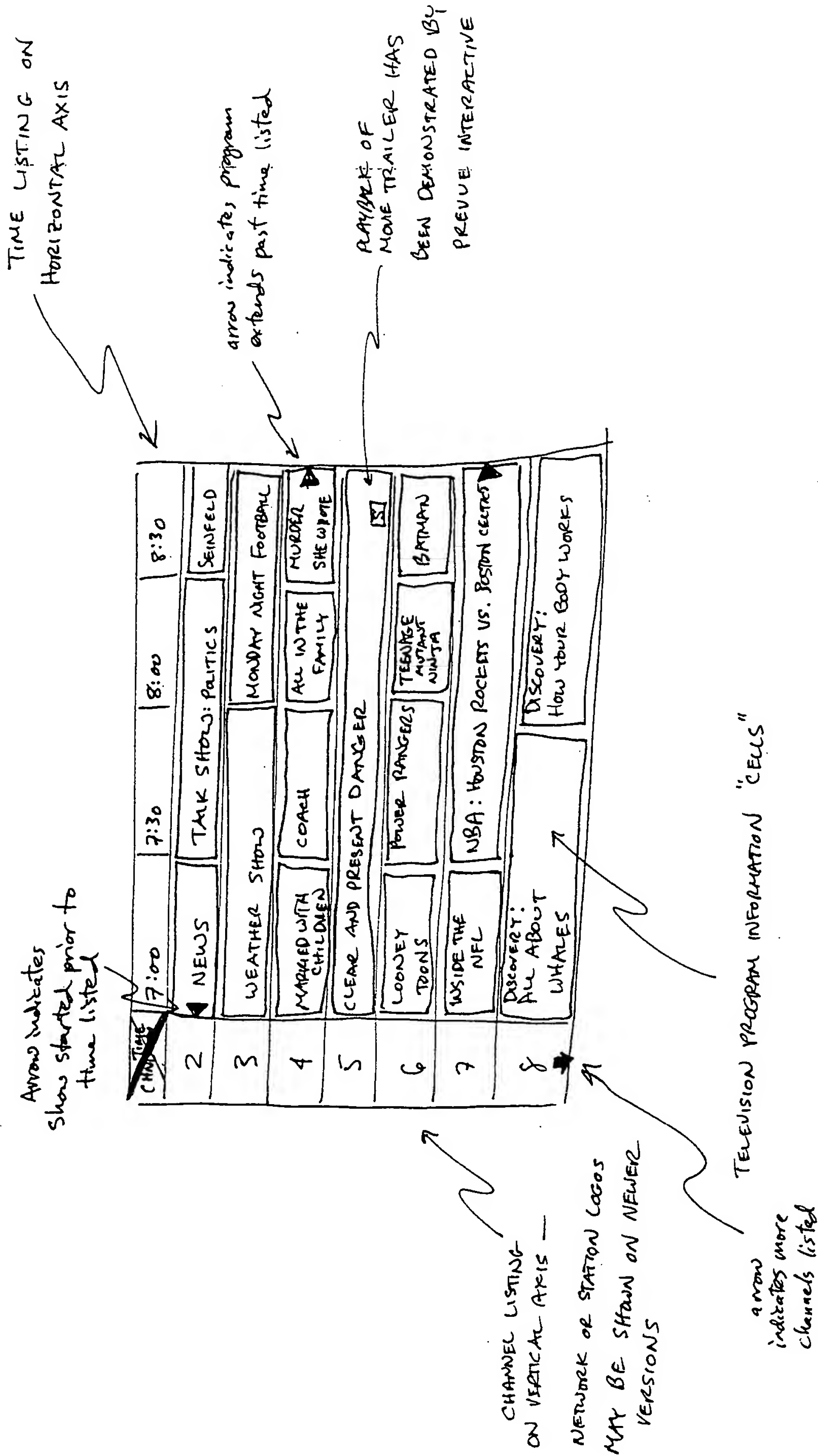
### **Targets costs:**

The business model of this service is still in the formulation stage. It has not been determined how updates will be distributed, the frequency of distribution and at what cost to the end user. One scenario is to offer a free 3-month subscription with each Bonfire. The other extreme is to offer the service for free.

**REDACTED**

# EXHIBIT C

FIGURE 1. CONVENTIONAL GRID GUIDE AND RECENT ELECTRONIC GUIDE FORMATS



REDACTED

Redacted

John P. Standish

FIGURE 2.

NEW GRID GUIDE CONTAINING

ICONS WITH EMBEDDED COMMANDS

IN CONTEXT OF ENTERTAINMENT PROGRAMMING

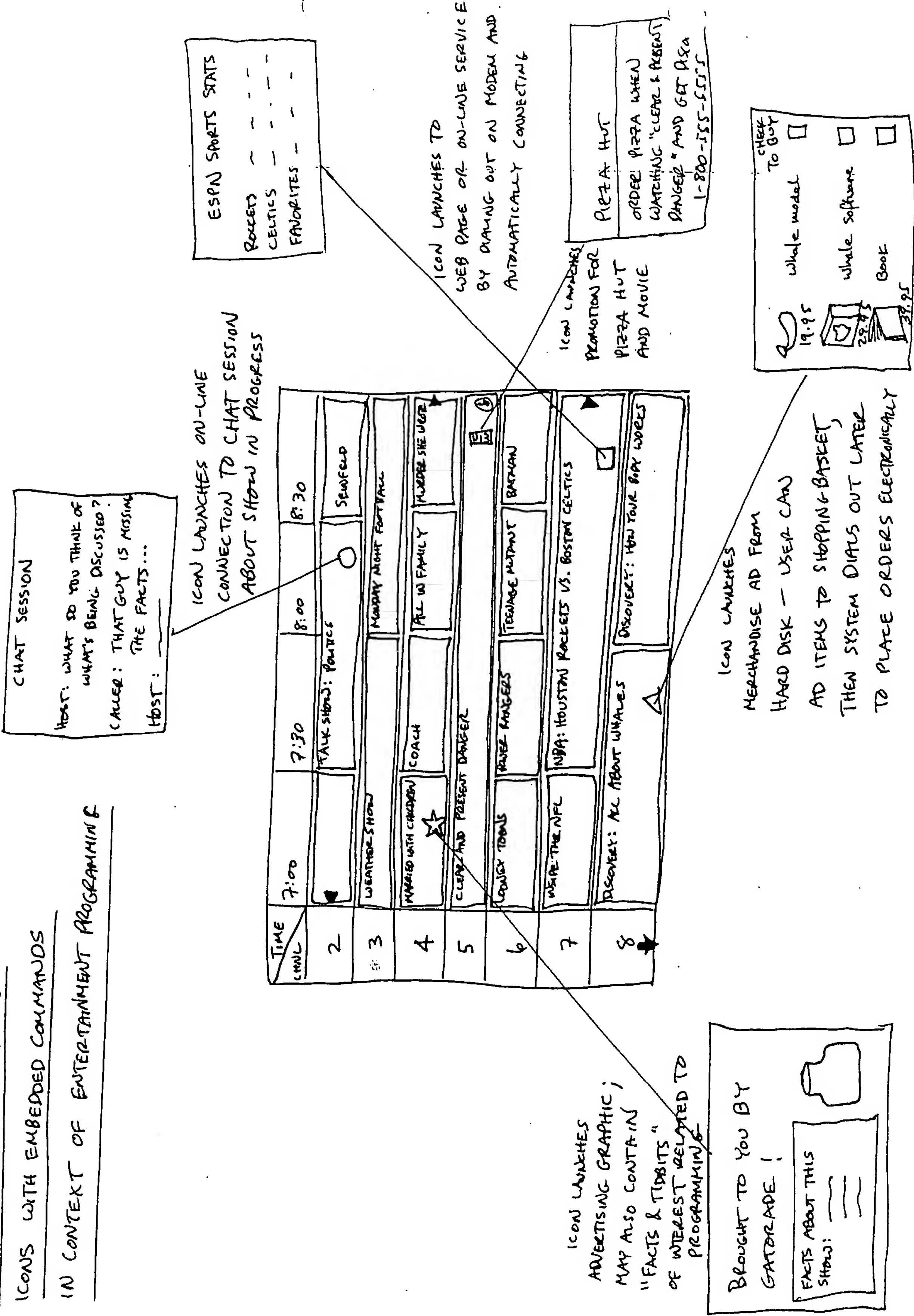
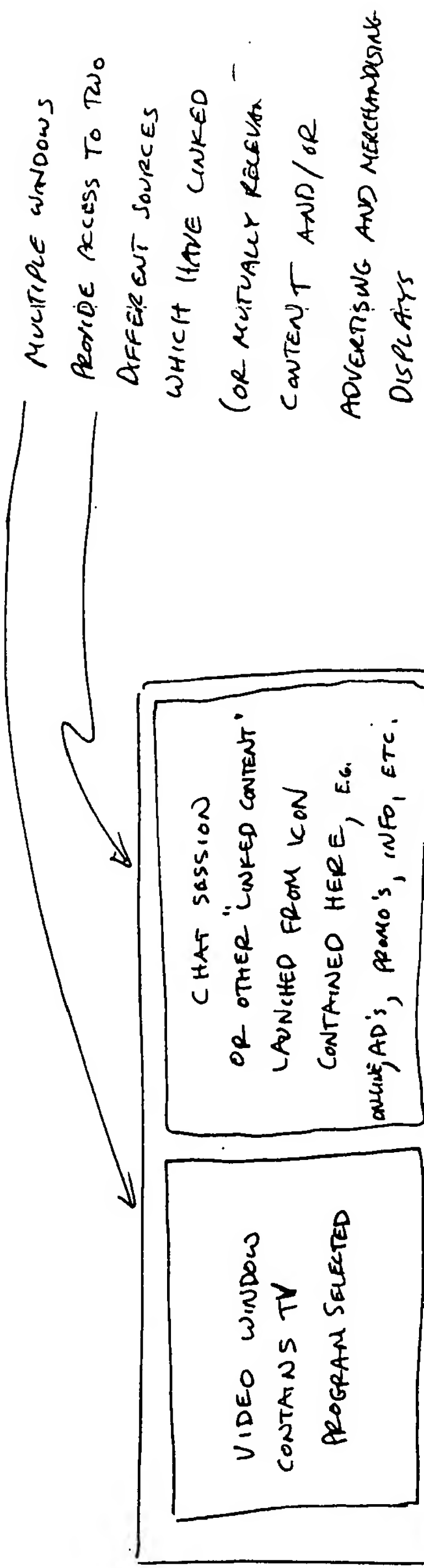


FIGURE 3. GRID GUIDE WITH SIMULTANEOUS DISPLAY

OF PROGRAM CONTENT AND LINKED CONTENT LAUNCHED FROM ICON

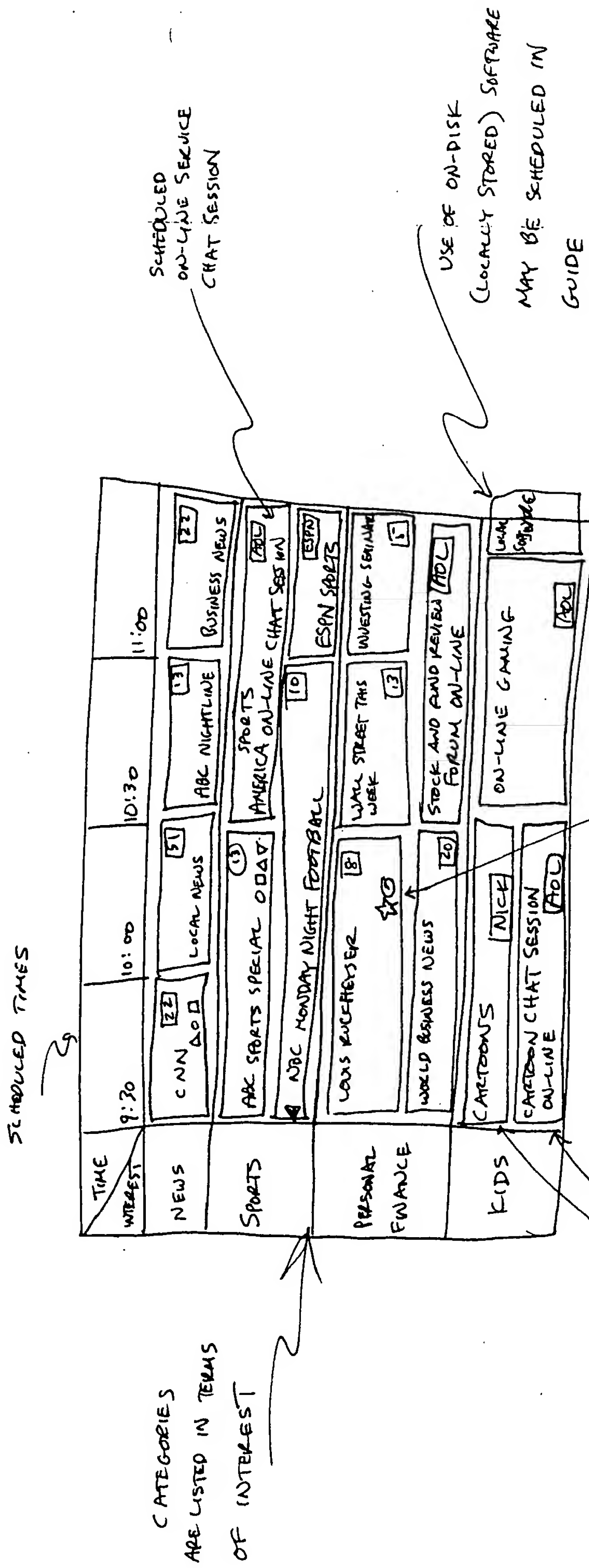


REDACTED

*T. R. P. Stanford*

Redacted

FIGURE 4. GRID GUIDE ARRANGED BY INTEREST (OR "VIRTUAL CHANNELS")  
AND DEMONSTRATING MULTIPLE MEDIA SOURCES DISPLAYED  
IN GUIDE.



REDACTED

*John P. Stand*  
Dated

# EXHIBIT D



er@ktop@PCPD Hou, Richard Lawson@C DT@PCMkt  
Belm@Prj Eng@PCPD Hou  
rong  
osturakis@Legal, Chuck Meyer@Legal

ention Disclosure(Consumer)

*Redacted*

RE: INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND  
SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE  
MEDIA PRESENTATION ID96-003

The Legal Department is in receipt of the above referenced invention disclosure. It has been assigned the number shown above. Please use this number in any future correspondence.

In order to determine whether or not patent protection is available for this invention, we will be evaluating the disclosure to determine whether to pursue a patent application to protect this matter. If this invention is to be disclosed shortly OR will be implemented into a product that is due to be announced shortly, PLEASE let us know as soon as possible.

Let me know if you have any questions.

Diane  
X 4-8113

# EXHIBIT E

**COMPAQ**

*Redacted*

Stuart Dwork, Esq.  
Jenkins & Gilchrist  
1445 Ross Ave., 35th Floor  
Dallas, TX 75202-2799

VIA FEDERAL EXPRESS

Attorney Work Product

**REDACTED**

Re: New Invention Disclosures (Consumer Products Division)

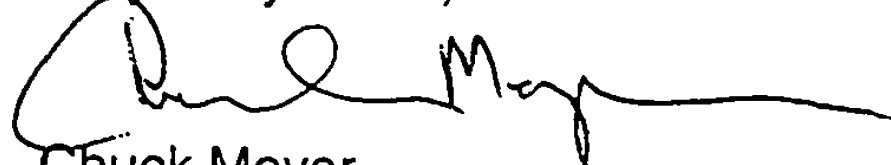
Dear Stuart:

As we discussed previously, enclosed are two invention disclosures that I need to have worked. You participated in the invention review with me on these disclosures. By our numbering system, they are ID 96-02 and ID 96-003.

**REDACTED:** I would like a flat fee quote for each of these cases by no later than the middle of the week of the           . In giving me the quotes, please assume that I would like to have a draft of each, ready for inventor comment, no later than *Redacted*. The quote should include all of your expenses, other than PTO fees, that you would incur to get the application to the point of filing with the PTO. The quote should take into consideration your travel, photocopying charges, long distance charges, etc. Absent a problem on our end, you will be expected to give us the drafts by the requested time within the quote you provide.

If you need to speak with an inventor about the disclosure, I will arrange for the initial meetings and/or conference calls. Let me know if you have any questions and, as always, please ensure that you receive a P-number for each from Diane.

Very Truly Yours,



Chuck Meyer  
Intellectual Property Counsel

Enclosure

# EXHIBIT F

**Jenkins & Gilchrist**  
A PROFESSIONAL CORPORATION

**MEMORANDUM**

To: Jeff Allen  
From: Carol Marstaller  
Re: New C/M Numbers for Compaq  
Date: *Redacted*

---

Jeff,

Please open two new files for Compaq Computer Corporation (27757) as soon as you can please. We are in a rush. The information is as follows:

Matter name:

P-1074 COMPUTER SYSTEM DESIGNED FOR DISTANCE VIEWING OF INFORMATION AND MEDIA SOURCES (ID96-002)

P-1075 INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION (ID96-003)

Please let me know as soon as you have something or need anything further.

/cam

cc: Jeanne Ann Howard

# EXHIBIT G

# Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

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TELECOPIER (214) 855-4300

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(512) 499-3800

HOUSTON, TEXAS  
(713) 951-3300

SAN ANTONIO, TEXAS  
(210) 308-3100

WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER

Stuart D. Dwork  
(214) 855-4727

*Redacted*

Ms. Diane H. Strong  
Administrator - Patents and Trademarks  
Compaq Computer Corporation  
20555 S. H. 249  
Building 11 - Mail Stop 110701  
Houston, TX 77070

Re: U.S. Patent Application Entitled: "Integrated Content Guide for Interactive Selection of Content and Services on Personal Computer Systems with Multiple Sources and Multiple Media Presentation"  
Inventors: Stuatner et al.  
Your Ref. No.: P-1075 - Consumer Products Division  
Our Ref. No.: 27757-00033

Dear Diane:

Enclosed please find a first draft of Mr. Stautner's, Mr. Lawson's and Mr. Belmont's patent application related to "Integrated Content Guide for Interactive Selection of Content and Services on Personal Computer Systems with Multiple Sources and Multiple Media Presentation". Our draftsman is in the process of preparing the figures at this point. It may be advisable to have additional information as to how the information is specifically acquired into the content guide, however this is not necessary based upon the claims as they are currently constituted.

Mr. Meyer indicated that he desired that these applications be ready for filing by *Redacted*. Accordingly, in light of this rather short turnaround time they will be completed as soon as possible.

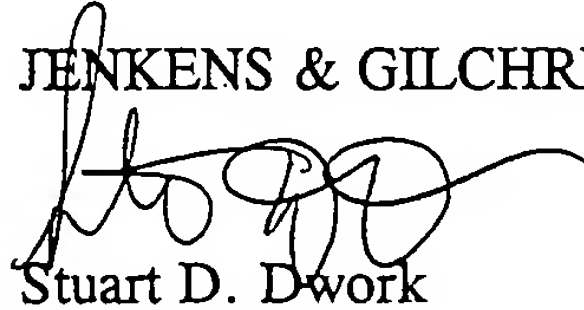
Ms. Diane H. Strong

*Redacted*

If you should need anything regarding this or any other matter, please do not hesitate to contact me.

Very truly yours,

JENKENS & GILCHRIST, P.C.

A handwritten signature in black ink, appearing to read "Stuart D. Dwork", with a stylized, cursive script.

Stuart D. Dwork

SDD/cam

Enclosure

cc: Charles B. Meyer



Fax receipt will not be confirmed by phone unless requested.

**JENKENS & GILCHRIST**  
A Professional Corporation  
Fountain Place  
1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202  
(214) 855-4500  
Telecopier (214) 855-4300

Other Offices:  
Austin  
Houston  
San Antonio  
Washington, D.C.

To: Diane Strong, Administrator Patents & Trademarks  
Company: Compaq Computer Corporation  
Telecopier #: (713) 514-8332  
From: Stuart D. Dwork (Direct Dial 214-855-4727)  
Operator:  
Operator Phone #: (214) 855-4777

• MESSAGE •

cc: Chuck Meyers

**NOTICE OF CONFIDENTIALITY**

The information contained in and transmitted with this facsimile is

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2. ATTORNEY WORK PRODUCT; OR
3. CONFIDENTIAL.

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# EXHIBIT H

**Jenkins & Gilchrist**  
A PROFESSIONAL CORPORATION

**MEMORANDUM**

To: File

From: Stuart Dwork

Re: Filing of Patent Application

Date: *Redacted*

---

Pursuant to a telephone conversation with Chuck Meyer this date, the patent application for this matter will not be filed today. The inventors are still reviewing the application at this time. A copy of the formal drawings have been sent to Chuck Meyer and Diane Strong today for review.

SDD/cam

# EXHIBIT I

This receipt will not be confirmed by phone unless requested.

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Other Offices:  
Austin  
Houston  
San Antonio  
Washington, D.C.

To: Patrick Dillon  
Company: Bond / Dillon Associates  
Telecopier #: 214-458-2600  
From: Stuart Dwork  
Operator: Sherry Chance Parrish, CLA  
Operator Phone #: (214) 855-4512

• MESSAGE •

Mr. Dillon,

There are minor changes on each of the four(4) figures. If you have any questions, please contact Stuart at 855-4727. Thanks so much --- and I look forward to meeting you!

Sherry C. Parrish, CLA

REDACTED

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Jenkins & Gilchrist, a professional corporation by telephone at (214) 855-4777 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail, or if authorization is granted by the sender, destroyed.

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# EXHIBIT J

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(210) 308-3100

WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER  
Stuart D. Dwork  
(214) 855-4727

*Redacted*

## VIA FEDERAL EXPRESS

Ms. Diane H. Strong  
Administrator, Patents and Trademarks  
Compaq Computer Corporation  
20555 S.H. 249, Mail Stop 110701  
Houston, TX 77070

Re: U.S. Patent Application Entitled: INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL  
COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE  
MEDIA PRESENTATION  
Your Ref. No.: P-1075  
Our File No.: 27757/00033

Dear Diane:

Enclosed is a copy of the above-referenced patent application, which has been appropriately revised in view of the inventors' comments.

Because essentially all of the inventors' suggested changes have been adopted, this application should be in final form for filing. Accordingly, I have enclosed formal papers for execution by the inventors. If the inventors are now satisfied that this draft application is complete and correct in all respects, please have them sign the formal papers and return them to me with the copy of the enclosed application for filing. I also need the election for prosecution by the assignee document, signed by Irene. If the inventors have only very minor corrections, those corrections can be made in ink on the enclosed draft and each such correction initialed by each inventor. The inventors can still execute the formal papers if only minor changes are made to the

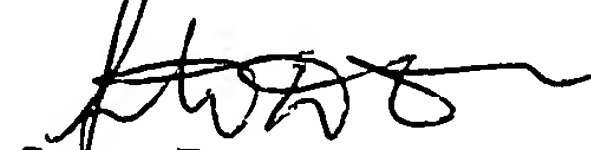
Ms. Diane H. Strong

*Redacted*

application. If, on the other hand, substantial changes are required, I suggest that you ask the inventors to call me.

Please do not hesitate to contact me if you have any comments or questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stuart D. Dwork", with a stylized flourish at the end.

Stuart D. Dwork

SDD:scp  
Enclosures



# EXHIBIT K

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WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER

Stuart D. Dwork

(214) 855-4727

WRITER'S INTERNET ADDRESS

sdwork00@counsel.com

*Redacted*

VIA FEDERAL EXPRESS

Ms. Diane H. Strong  
Administrator, Patents and Trademarks  
Compaq Computer Corporation  
20555 S.H. 249, Mail Stop 110701  
Houston, TX 77070

Re: U.S. Patent Application Entitled: **INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL  
COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA  
PRESENTATION**

Inventor: John P. Stautner, Richard J. Lawson, Brian V. Belmont

Your Reference No.: P-1075

Our File No.: 27757/00033

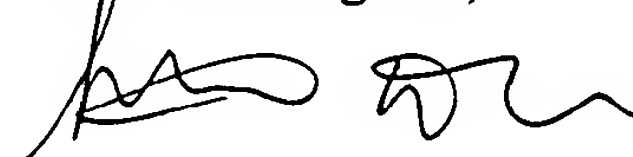
Dear Diane:

Enclosed is a Declaration for Joint Inventors for the above referenced patent application. Please have the inventors review and sign the Declaration and return to me in the enclosed Federal Express envelope so that the application may be filed.

Because Brian Belmont is no longer with Compaq, the Declaration may have to be forwarded to his home address. Please let my assistant, Sherry Parrish, know if you wish us to send the document to him. Her direct dial number is 214-855-4512. If she does not hear from you, we will presume that you have taken care of getting the signatures.

If you have any questions or comments regarding this or any other matter, please do not hesitate to call me.

With Best Regards,



Stuart D. Dwork

SDD:scp  
Enclosures

DECLARATION

JOINT INVENTOR  
ORIGINAL

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS

as described in the specification ☒ attached or ☐ of patent Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_ and amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
  - (i) opposing an argument of unpatentability relied on by the Office, or
  - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR		INVENTOR'S SIGNATURE	DATE
JOHN P. STAUTNER			
RESIDENCE		CITIZENSHIP	
24 Pastoral Pond Circle, The Woodlands, TX 77380		US	
POST OFFICE ADDRESS			
24 Pastoral Pond Circle, The Woodlands, TX 77380			
FULL NAME OF SECOND JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RICHARD J. LAWSON			
RESIDENCE		CITIZENSHIP	
5959 FM 1960 West, #316, Houston, TX 77069		US	
POST OFFICE ADDRESS			
5959 FM 1960 West, #316, Houston, TX 77069			
FULL NAME OF SECOND JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
BRIAN V. BELMONT			
RESIDENCE		CITIZENSHIP	
9001 Markville Dr., #1835, Dallas, TX 75243		US	
POST OFFICE ADDRESS			
9001 Markville Dr., #1835, Dallas, TX 75243			

# EXHIBIT L

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WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER  
Stuart D. Dwork  
(214) 855-4727

*Redacted*

## VIA FEDERAL EXPRESS

Ms. Diane H. Strong  
Administrator, Patents and Trademarks  
Compaq Computer Corporation  
20555 S.H. 249, Mail Stop 110701  
Houston, TX 77070

Re: U.S. Patent Application Entitled: INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL  
COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE  
MEDIA PRESENTATION  
Your Ref. No.: P-1075  
Our File No.: 27757/00033

Dear Diane:

In light of your e-mail message of *Redacted* I am enclosing a new copy of the above-referenced patent application, which has been appropriately revised in view of the inventors' comments, along with a new declaration and assignment to be executed by the inventors still employed by Compaq. We will then forward the package with John Stautner's and Richard Lawson's executed declaration, assignment, and the patent application to Brian Belmont at his home address.

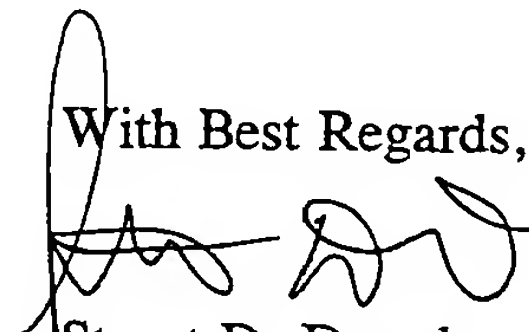
Because essentially all of the inventors' suggested changes have been adopted, this application should be in final form for filing. If the inventors still employed by Compaq are now satisfied that this draft application is complete and correct in all respects, please have them sign the formal papers and return them to me with the copy of the enclosed application for filing. I also need the election for prosecution by the assignee document, signed by Irene. If the inventors have only very minor corrections, those corrections can be made in ink on the enclosed draft and each such correction initialed by each inventor. The inventors can still execute the formal papers if only minor changes are made to the application.

Ms. Diane H. Strong

*Redacted*

If, on the other hand, substantial changes are required, I suggest that you ask the inventors to call me.

If you have any questions or comments regarding this or any other matter, please do not hesitate to call me.

With Best Regards,  
  
Stuart D. Dwork

SDD:scp  
Enclosures

C

# EXHIBIT M



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Other Offices:  
Austin  
Houston  
San Antonio  
Washington, D.C.

To: Brian V. Belmont  
Company: Texas Instruments  
Telecopier #: 214/997-6301  
From: Stuart D. Dwork  
Operator: Liz Stafford  
Operator Phone #: 214/855-4827

• MESSAGE •

Attached are pages which include the changes to the patent application and a copy of the new FIG. 5 for your review. The added text has been redlined, and the deleted text has been marked through. Please call me with any comments that you might have or let me know if everything is satisfactory so that I may courier the formal papers to you for your signature.

Stuart



REDACTED

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is unauthorized and strictly prohibited. If you have received this facsimile in error, please notify Jenkins & Gilchrist, a professional corporation by telephone at (214) 855-4777 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail, or if authorization is granted by the sender, destroyed.

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# EXHIBIT N

F

# Jenkins & Gilchrist

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WRITER'S DIRECT DIAL NUMBER  
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(713)-951-3300

SAN ANTONIO, TEXAS  
(210) 308-3100

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*Redacted*

VIA FEDERAL EXPRESS

Ms. Diane H. Strong  
Administrator, Patents and Trademarks  
Compaq Computer Corporation  
20555 S.H. 249, Mail Stop 110701  
Houston, TX 77070

Re: U.S. Patent Application Entitled: INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL  
COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA  
PRESENTATION  
Inventors: John P. Stautner, Richard J. Lawson and Brian V. Belmont  
Your Ref. No.: P-1075  
Our File No.: 27757/00033

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If you have any questions or comments regarding this or any other matter, please do not hesitate to call me.

With Best Regards,

  
Stuart D. Dwork

SDD:scp  
Enclosures

ASSIGNMENT

WHEREAS, We, John P. Stautner, Richard J. Lawson and Brian V. Belmont, are joint inventors of "INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION", application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, COMPAQ COMPUTER CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over to COMPAQ COMPUTER CORPORATION, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ COMPUTER CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ COMPUTER CORPORATION, as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ COMPUTER CORPORATION, its successors, assigns, or other legal representatives and that if COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
JOHN P. STAUTNER

STATE OF TEXAS           §

                                  §

COUNTY OF HARRIS       §

BEFORE ME, the undersigned authority, on this day personally appeared **John P. Stautner**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this \_\_\_\_ day of \_\_\_\_\_,  
19\_\_\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\*\*\*\*\*

EXECUTED THIS \_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
**RICHARD J. LAWSON**

STATE OF TEXAS       §

§

COUNTY OF HARRIS    §

BEFORE ME, the undersigned authority, on this day personally appeared **Richard J. Lawson**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this \_\_\_\_\_ day of \_\_\_\_\_,  
19\_\_.

\_\_\_\_\_  
Notary Public in and for the State of Texas

\*\*\*\*\*

EXECUTED THIS

Redacted


Redacted

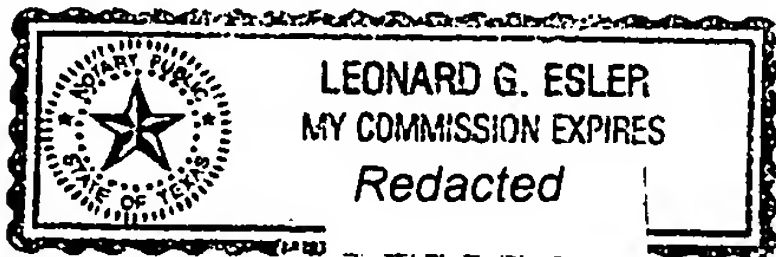
  
BRIAN V. BELMONT

STATE OF TEXAS §  
COUNTY OF DALLAS §

BEFORE ME, the undersigned authority, on this day personally appeared **Brian V. Belmont**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this Redacted day of Redacted, Redacted.

  
Notary Public in and for the State of Texas





# DECLARATION

JOINT INVENTOR  
ORIGINAL

As a below named inventor, I hereby declare that: my residence, post office address, and citizenship are as stated below next to my name. I believe I am the original, first, and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS

as described in the specification ☒ attached or ☐ of patent Application Serial No. \_\_\_\_\_ filed \_\_\_\_\_ and amended on \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; that I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to this application; and that I acknowledge the duty to disclose information of which I am aware which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations § 1.56(a). Such information is material when it is not cumulative to information already of record or being made of record in the application, and

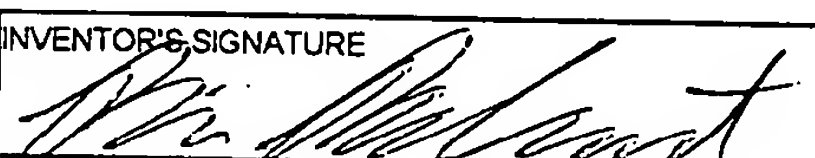
- (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) it refutes, or is inconsistent with, a position the applicant has taken or may take in:
  - (i) opposing an argument of unpatentability relied on by the Office, or
  - (ii) asserting an argument of patentability.

I hereby claim foreign priority benefits under Title 35, United States Code § 119 of any foreign application(s) for patent or inventor's certificates listed below and have also identified below any foreign application(s) having a filing date before that of the application(s) on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE OF FILING	PRIORITY CLAIMED UNDER 35 USC 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under Title 35 United States Code § 120 of any United States application(s) listed below and, insofar as any subject matter of any claim of this application is not disclosed in the prior United States Application, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations § 1.56(a) which occurred between the filing date of the prior application and the national PCT international filing date of this application:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR		INVENTOR'S SIGNATURE	DATE
JOHN P. STAUTNER			
RESIDENCE			CITIZENSHIP
24 Pastoral Pond Circle, The Woodlands, TX 77380			US
POST OFFICE ADDRESS			
24 Pastoral Pond Circle, The Woodlands, TX 77380			
FULL NAME OF SECOND JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
RICHARD J. LAWSON			
RESIDENCE			CITIZENSHIP
5959 FM 1960 West, #316, Houston, TX 77069			US
POST OFFICE ADDRESS			
5959 FM 1960 West, #316, Houston, TX 77069			
FULL NAME OF SECOND JOINT INVENTOR		INVENTOR'S SIGNATURE	DATE
BRIAN V. BELMONT			Redacted
RESIDENCE			CITIZENSHIP
9001 MARKVILLE DR, #1835, DALLAS, TX 75243			US
POST OFFICE ADDRESS			
9001 MARKVILLE DR, #1835, DALLAS, TX 75243			



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Applicant/Patentee:*

John Stautner et al.

*Filed:* Concurrently Herewith

*Atty File:* 27757/00033

*Serial No.:* Not Yet Assigned

*For:* INTEGRATED CONTENT GUIDE  
FOR INTERACTIVE SELECTION  
OF CONTENT AND SERVICES  
ON PERSONAL COMPUTER  
SYSTEMS WITH MULTIPLE  
SOURCES AND MULTIPLE MEDIA  
PRESENTATION

§  
§  
§  
§  
§  
§  
§

### POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. § 3.71, the undersigned assignee of record of the entire interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable):

- ☒ Concurrently Herewith  
☐ Date Recorded \_\_\_\_\_  
☐ Reel \_\_\_\_\_ Frame \_\_\_\_\_

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the inventors. The undersigned hereby declares that she has reviewed the above-referenced assignment and hereby declares that, to the best of her knowledge, title is in the Assignee, and further declares that all statements made herein of her own knowledge are true and that all statements made on information and belief are believed to be true. The assignee hereby revokes any previous powers of attorney and appoints the following to prosecute this application/maintain this patent and transact all business in the Patent and Trademark Office connected therewith:

#### (Prosecuting Attorney List)

H. Mathews Garland	19,129
Thomas L. Cantrell	20,849
Thomas L. Crisman	24,846
Stanley R. Moore	26,958
Gerald T. Welch	30,332
P. Weston Musselman, Jr.	31,644
Roger L. Maxwell	31,855
Jeffery B. Bacon	35,055
Stuart D. Dwork	31,103

J. David Cabello	31,455
Irene Kosturakis	33,724
Keith Lutsch	31,851
L. Jon Lindsay	36,855
Charles B. Meyer	33,563
Howard R. Boyle	29,617
Joseph Arrambide	39,589

Andre M. Szuwalski	35,701
J. Kevin Gray	37,141
Steven R. Greenfield	38,166
Craig A. Hoersten	38,917
Robert H. Kelly	33,922
Jennifer S. Sickler	36,005

Please direct all communications to:

Roger L. Maxwell  
Jenkins & Gilchrist, P.C.  
1445 Ross Avenue  
Suite 3200  
Dallas, Texas 75202-2799  
(214) 855-4787  
(214) 855-4300 (facsimile)

**ASSIGNEE**  
**COMPAQ COMPUTER CORPORATION**

Date: \_\_\_\_\_

BY: \_\_\_\_\_  
NAME: Irene Kosturakis  
TITLE: Manager Worldwide Patent Development

Irene Kosturakis  
Manager Worldwide Patent Development  
Authorized To Sign This Document On Behalf Of  
Compaq Computer Corporation  
Pursuant To Board Of Directors Resolution  
Date July 28, 1989

# EXHIBIT O

# Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

FOUNTAIN PLACE  
1445 ROSS AVENUE, SUITE 3200  
DALLAS, TX 75202

(214) 855-4500  
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HOUSTON, TEXAS  
(713) 951-3300

SAN ANTONIO, TEXAS  
(210) 308-3100

WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER

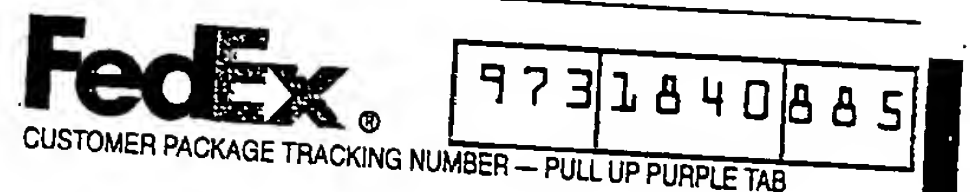
Stuart D. Dwork

(214) 855-4727

*Redacted*

## VIA FEDERAL EXPRESS

Ms. Diane H. Strong  
Administrator, Patents and Trademarks  
Compaq Computer Corporation  
20555 S.H. 249, Mail Stop 110701  
Houston, TX 77070



Re: U.S. Patent Application Entitled: INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL  
COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA  
PRESENTATION  
Inventors: John P. Stautner, Richard J. Lawson and Brian V. Belmont  
Your Ref. No.: P-1075  
Our File No.: 27757/00033

Dear Diane:

I am enclosing a revised new copy of the above-referenced patent application, which has been appropriately revised in view of the inventors' comments, along with a new declaration and assignment.

Please have John and Richard sign the formal papers and return them to me with the copy of the enclosed application. I am forwarding this to you for these signatures as Mr. Meyer informed me that time was of the essence, as one of these inventors would soon become unavailable. I will then have Brian Belmont sign the documents in order for the application to be placed in condition for filing. I am enclosing an additional copy of the election for prosecution by the assignee document, signed by Irene as we have not received a completed version of this document.

If you have any questions or comments regarding this or any other matter, please do not hesitate to call me.

With best regards,

JENKENS & GILCHRIST, P.C.

Stuart D. Dwork

SDD:eas  
Enclosures

# EXHIBIT P

**Jenkins & Gilchrist**  
A PROFESSIONAL CORPORATION

FOUNTAIN PLACE  
1445 ROSS AVENUE, SUITE 3200  
DALLAS, TX 75202

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(713) 951-3300

SAN ANTONIO, TEXAS  
(210) 308-3100

WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER

Stuart D. Dwork  
(214) 855-4727

*Redacted*

VIA FEDERAL EXPRESS

Mr. Richard J. Lawson  
300 Courtyard  
Dakota Dunes, South Dakota 57049

Re: U.S. Patent Application Entitled: INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL  
COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA  
PRESENTATION

Inventors: John P. Stautner, Richard J. Lawson and Brian V. Belmont

Your Ref. No.: P-1075

Our File No.: 27757/00033

Dear Richard:

I am enclosing a new copy of the above-referenced patent application, which has been appropriately revised in view of all of the inventors' comments, along with a new declaration and assignment, duly executed by John Stautner, to be executed by Brian and yourself.

Because this version of the application contains all of the inventors' suggested changes, this application should be in final form for filing. Please sign the formal papers and return them to me with the copy of the enclosed application for filing as soon as possible. A Federal Express return envelope is enclosed for your convenience. I ask that you expedite the execution of these documents so that they may be filed in a timely manner.

If you have any questions or comments regarding this or any other matter, please do not hesitate to call me.

With Best Regards,

JENKENS & GILCHRIST, P.C.

*Stuart D. Dwork*  
Stuart D. Dwork

SDD:scp  
Enclosures

# EXHIBIT Q

# Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

FOUNTAIN PLACE  
1445 ROSS AVENUE, SUITE 3200  
DALLAS, TX 75202

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(512) 499-3800

HOUSTON, TEXAS  
(713) 951-3300

SAN ANTONIO, TEXAS  
(210) 308-3100

WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER

Roger L. Maxwell

(214) 855-4787

WRITER'S INTERNET ADDRESS

rlmaxwell@mcimail.com

*Redacted*

Ms. Diane H. Strong  
Administrator  
International Patents and Trademarks  
Compaq Computer Corporation  
20555 S.H. 249, Mail Stop 110701  
Houston, TX 77070-2698

Re: U.S. Patent Application Entitled: INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON  
PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND  
MULTIPLE MEDIA PRESENTATION

Inventors: John P. Stautner, Richard J. Lawson and Brian V. Belmont  
Your Ref. No. P-1075; Our File No. 27757/00033

Dear Diane:

Enclosed for your records is a copy of a letter sent to Richard Lawson transmitting a new copy of the above-referenced patent application with formal documents for execution.

As always, if you have any question regarding this or any other matter, please do not hesitate to call me.

Very truly yours,



Roger L. Maxwell

RLM:scp  
Enclosure



# EXHIBIT R

# Jenkins & Gilchrist

A PROFESSIONAL CORPORATION

FOUNTAIN PLACE  
1445 ROSS AVENUE, SUITE 3200  
DALLAS, TX 75202

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(512) 499-3800

HOUSTON, TEXAS  
(713) 951-3300

SAN ANTONIO, TEXAS  
(210) 308-3100

WASHINGTON, D.C.  
(202) 326-1500

WRITER'S DIRECT DIAL NUMBER  
Stuart D. Dwork  
(214) 855-4727

Redacted

## VIA FEDERAL EXPRESS

Mr. Brian Belmont  
9001 Markville Dr., #1835  
Dallas, TX 75243

Re: U.S. Patent Application Entitled: INTEGRATED CONTENT GUIDE FOR  
INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL  
COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE  
MEDIA PRESENTATION  
Compaq Ref. No.: P-1075  
Our File No.: 27757/00033

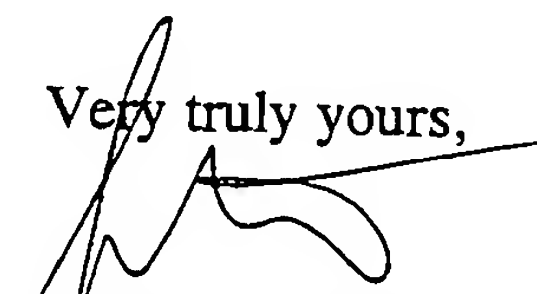
Dear Brian:

Enclosed is a copy of the above-referenced patent application, which has been appropriately revised in view of the inventors' comments.

We are also enclosing the re-executed documents by your co-inventors. This application will be in final form for filing when you return the executed documents in the enclosed self-addressed Federal Express envelope.

I would like to thank you for your patience in this matter. Please do not hesitate to contact me if you have any comments or questions.

Very truly yours,



Stuart D. Dwork

SDD:scp  
Enclosures

# EXHIBIT S

Tax receipt will not be  
confirmed by phone  
unless requested.

**JENKENS & GILCHRIST**  
A Professional Corporation  
1445 Ross Avenue  
Suite 3200  
Dallas, Texas 75202  
(214) 855-4500  
Telecopier (214) 855-4300

Other Offices:  
Austin  
Houston  
San Antonio  
Washington, D.C.

To: DIANE H. STRONG  
Company: COMPAQ COMPUTER CORPORATION  
Telecopier #: 713/514-8332

From: SHERRY CHANCE PARRISH  
Operator:  
Operator Phone #: (214) 855-4512

• MESSAGE •

ATTACHED IS A COPY OF THE EXECUTED ASSIGNMENT FOR P-1075 (J&G #33) THAT WE SPOKE OF ON THE PHONE. PLEASE CALL ME IF YOU HAVE ANY QUESTIONS.

SHERRY C. PARRISH  
214-855-4512

REDACTED

REDACTED

It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, or use of or reliance upon the information contained in and transmitted with this facsimile by or to anyone other than the recipient designated above by the sender is *unauthorized* and *strictly prohibited*. If you have received this facsimile in error, please notify Jenkins & Gilchrist, a professional corporation by telephone at (214) 855-4777 immediately. Any facsimile erroneously transmitted to you should be immediately returned to the sender by U.S. Mail, or if authorization is granted by the sender, destroyed.

If you do not receive all pages, please call: (214) 855-4777

Date: Redacted Time: Redacted  
Billing #  
Total # of Pages (+ Cover): 5

ASSIGNMENT

WHEREAS, We, John P. Stautner, Richard J. Lawson and Brian V. Belmont, are joint inventors of "INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION", application for United States Letters Patent which is executed of even date herewith; and

WHEREAS, COMPAQ COMPUTER CORPORATION, a corporation created and existing under and by virtue of the laws of the State of Delaware, is desirous of acquiring the entire right, title and interest in and to the aforesaid invention throughout the world, and all right, title and interest in, to and under any and all Letters Patent of the United States and all other countries throughout the world;

NOW, THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged, we hereby sell, assign, transfer and set over to COMPAQ COMPUTER CORPORATION, all right, title and interest in and to the said invention throughout the world, and said application for U.S. Letters Patent, and any and all divisions, continuations, and reissues thereof, and any and all Letters Patent of the United States and foreign countries which may be granted therefor, the same to be held and enjoyed by COMPAQ COMPUTER CORPORATION for its own use and benefit, and for the use and benefit of its successors, assigns, or other legal representatives, to the end of the term or terms for which said Letters Patent of the United States or foreign countries are or may be granted or reissued, as fully and entirely as the same would have been held and enjoyed by us if this assignment and sale had not been made.

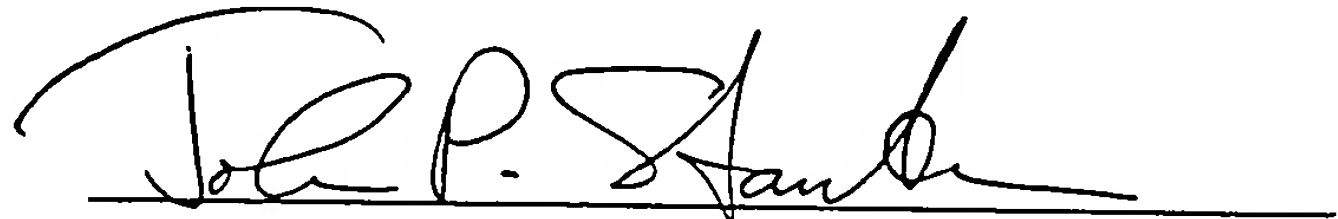
And we hereby authorize and request the Commissioner of Patents and Trademarks to issue any and all Letters Patent of the United States on said invention or resulting from said application and from any and all divisions, continuations, and reissues thereof, to COMPAQ COMPUTER CORPORATION, as assignee of our entire interest, and hereby covenant that we have the full right to convey the entire interest herein assigned, and that we have not executed and will not execute any agreement in conflict herewith.

And we further hereby covenant and agree that we will, at any time, upon request, execute and deliver any and all papers that may be necessary or desirable to perfect the title of said invention and to such Letters Patent as may be granted therefor, to COMPAQ COMPUTER CORPORATION, its successors, assigns, or other legal representatives and that if COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives shall desire to file any divisional or continuation applications or to secure a reissue of such Letters Patent, or to file a disclaimer relating thereto, will upon request, sign all papers, make all rightful oaths and do all lawful acts requisite for the filing of such divisional or continuation application, or such application for reissue and the procuring thereof, and for the filing of such disclaimer, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

And we do further covenant and agree that we will, at any time upon request, communicate to COMPAQ COMPUTER CORPORATION, its successors, assigns or other legal representatives, such facts relating to said invention and Letters Patent or the file history thereof as may be known to us, and testify as to the same in any interference or other litigation when requested so to do, without further compensation but at the expense of said assignee, its successors, or other legal representatives.

EXECUTED THIS

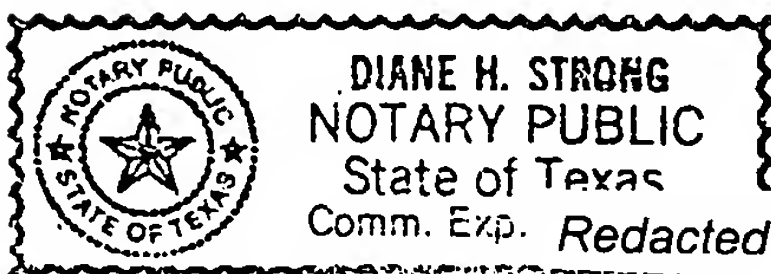
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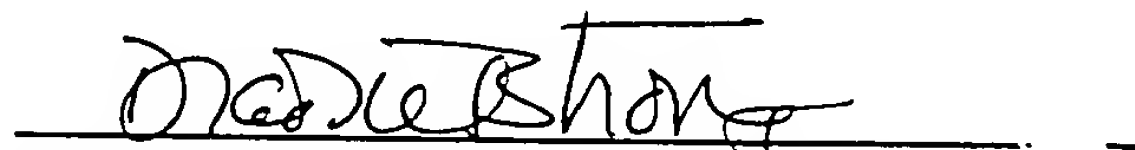
  
JOHN P. STAUTNER

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

BEFORE ME, the undersigned authority, on this day personally appeared **John P. Stautner**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this *Redacted* day of *Redacted*

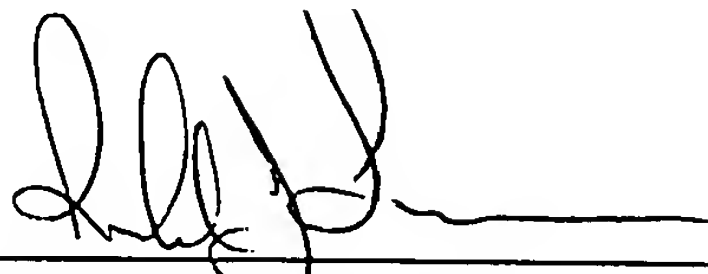


  
Notary Public in and for the State of Te. 7

\*\*\*\*\*

EXECUTED THIS

Redacted



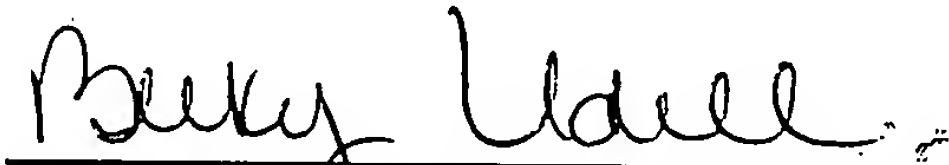
RICHARD J. LAWSON

STATE OF TEXAS       §  
                                  §  
COUNTY OF HARRIS   §

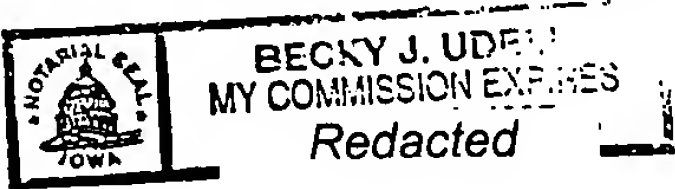
BEFORE ME, the undersigned authority, on this day personally appeared **Richard J. Lawson**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

GIVEN UNDER MY HAND and seal of office this Redacted day of

Redacted



Notary Public in and for the State of Texas



\*\*\*\*\*

EXECUTED THIS


Redacted

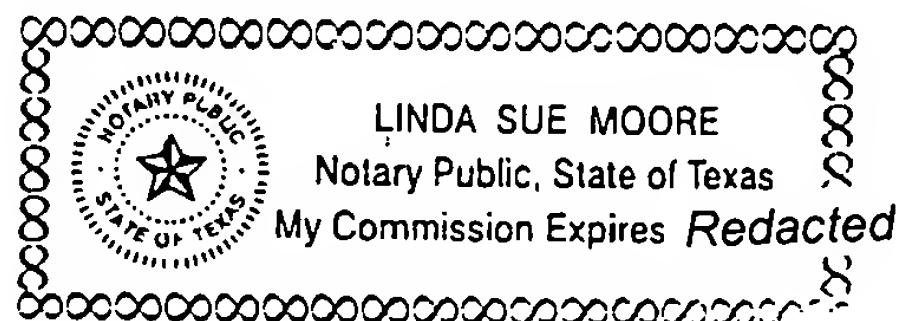
  
BRIAN V. BELMONT

STATE OF TEXAS       §  
                                  §  
COUNTY OF Dallas   §

BEFORE ME, the undersigned authority, on this day personally appeared **Brian V. Belmont**, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

☞ GIVEN UNDER MY HAND and seal of office this Redacted day of  
Redacted

  
Notary Public in and for the State of Texas





# EXHIBIT T

**COMPAQ**

**INTELLECTUAL PROPERTY**

*Redacted*

VIA FEDERAL EXPRESS

*Redacted*

**JENKENS & GILCHRIST**

Roger L. Maxwell  
JENKENS & GILCHRIST  
Fountain Place  
1445 Ross Avenue, Suite 3200  
Dallas, TX 75202

RE: U.S. Patent Application  
INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF  
CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH  
MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION  
Our ref: P-1075 Your ref: 27757/00033

---

Dear Mr. Maxwell:

Please find enclosed the Power of Attorney for the above-identified patent application duly executed by Irene Kosturakis.

If you have any questions or comments, please do not hesitate to contact me at (713) 514-2935.

Regards,

*Stacey L. Alston*

Stacey L. Alston  
International Patents & Trademarks

Enclosure

Federal Express No. 908-4265-416

# EXHIBIT U

Patent Application  
Docket No. 27757/00033  
P-1075

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Stautner, et al.

For: INTEGRATED CIRCUIT GUIDE FOR INTERACTIVE SELECTION OF CONTENT  
AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE  
SOURCES AND MULTIPLE MEDIA PRESENTATION

BOX PATENT APPLICATION  
Assistant Commissioner For Patents  
Washington, D.C. 20231

CERTIFICATE OF MAILING BY EXPRESS MAIL	
"EXPRESS MAIL" Mailing Label No. <u>IB885270617US</u>	
Date of Deposit	<u>October 7</u> , 1996
I hereby certify that this paper or fee is being deposited with the U.S. Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner For Patents, Washington, D.C. 20231	
Type or Print Name	<u>Liz Stafford</u>
Signature	<i>Liz Stafford</i>

Dear Sir:

REQUEST FOR FILING A NATIONAL PATENT APPLICATION

Transmitted herewith for filing, please find the following:

- X 1. Specification, claims and abstract of the above-referenced patent application having 25 pages.
- X 2. 5 sheet(s) of drawing(s) (      formal / X informal).
- X 3. Declaration (X signed      unsigned).
- 3A. No filing fee, Oath, or Declaration is enclosed pursuant to 35 U.S.C. 53(d).
4. Information Disclosure Statement along with Form PTO-1449 and references.

\_\_\_\_ 5. This is a: \_\_\_\_ CIP, \_\_\_\_ DIV, \_\_\_\_ CONT, or \_\_\_\_ substitute Application (MPEP 201.09) of Application Serial No. \_\_\_\_, filed \_\_\_\_; or, is a \_\_\_\_ reissue of U.S. Patent No. \_\_\_\_ filed on \_\_\_\_\_. An extension to extend the life of the above prior Application to at least the date of filing hereof

(One box must be marked)

- (a) \_\_\_\_ is concurrently being filed in that prior Application,  
(b) \_\_\_\_ was previously filed in that prior Application (check length of prior extension),  
(c) \_\_\_\_ is not necessary for copendency (double check before X'ing this).

X 6. Attached is an assignment to COMPAQ COMPUTER CORPORATION. Please return the recorded assignment to the undersigned.

\_\_\_\_ 7. Priority is claimed under 35 U.S.C. § 119 based on filing in \_\_\_\_ (country) \_\_\_\_.

	<u>Application No.</u>	<u>Filing Date</u>
(1)	____	____
(2)	____	____
(3)	____	____

\_\_\_\_ (No.) Certified copy (copies) \_\_\_\_ are attached; or \_\_\_\_ were previously filed on \_\_\_\_.

\_\_\_\_ 8. Attached: \_\_\_\_ (No.) verified statement(s) establishing "small entity" status under 37 CFR § 1.9 and 1.27.

X 9. Attached:  
X Power of Attorney by Assignee  
X Return Postcard  
X Filing fees \$890.00 (\$850.00 filing fee; \$40.00 Assignment fee)

\_\_\_\_ 10. Preliminary Amendment:

Prior to a first Office Action, kindly amend the Application as follows:

11. The following Filing Fee calculation is based on the claims filed less any claims canceled by the Preliminary Amendment of Item 10.

					SMALL ENTITY RATE		LARGE ENTITY RATE		
BASIC FEE					\$385	OR	\$770	=	\$770.00
	NUMBER FILED			NUMBER EXTRA					
TOTAL CLAIMS	<u>13</u>	-20	=	<u>0</u> (at least 0)	x 11	OR	x 22	=	+\$ <u>0</u>
INDEP. CLAIMS	<u>4</u>	-3	=	<u>1</u> (at least 0)	x 40	OR	x 80	=	+\$ <u>80</u>
If any <u>proper</u> multiple dependent claim (ignore improper) is present (Enter \$0.00 if this is a <u>reissue</u> application.)					+\$130	OR	+\$260	=	+\$ <u>0</u>
If assignment is x'd (line 5), add recording fee \$40.00									+\$ <u>40.00</u>
Attached is a Rule 47 Petition (inventor refuses to sign or cannot be reached) \$130									+\$ <u>      </u>
TOTAL FILING FEE									=\$ <u>890.00</u>

- X 12. A check in the amount of \$890.00 to cover the Filing Fee calculated in Item 11 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0447.
13. Please charge my Deposit Account No. 10-0447 in the amount of \$        to cover the Filing Fee calculated in Item 10. This sheet is attached in duplicate.
- X 14. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and may be required under 37 CFR 1.16-1.18 (missing or insufficiencies only) now or hereafter relative to this application and for the resulting Official Document under 37 CFR 1.20, OR credit any overpayment to our Deposit Account No. 10-0447,

Patent Application  
Docket No. 27757/00033  
P-1075

for which purpose a duplicate copy of this sheet is attached. **The Commissioner is not authorized to charge the issue fee until/unless an issue fee transmittal form is filed.**

Respectfully submitted,

JENKENS & GILCHRIST, P.C.

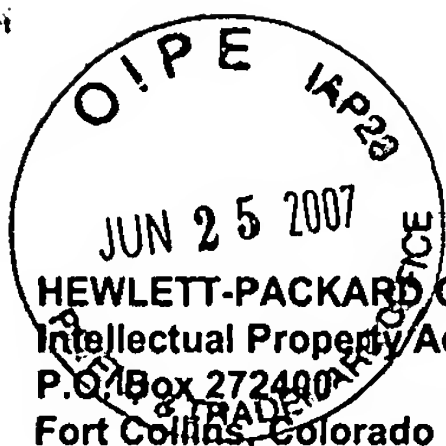
By: 

Name: Stuart D. Dwork

Reg. No. 31,103

1445 Ross Avenue, Suite 3200  
Dallas, Texas 75202  
(214) 855-4727  
(214) 855-4300 (fax)

(this form should be filed in duplicate)



HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P.O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 200303370-5

Inventor(s): John P. Stautner, et al.

Confirmation No.: 4896

Application No.: 10/628,640

Examiner: Bautista, Xiomara L.

Filing Date: July 28, 2003

Group Art Unit: 2179

Title: Integrated Content Guide for Interactive Selection of Content and Services on Personal Computer Systems with Multiple Sources and Multiple Media Presentation

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT**

Transmitted herewith is/are the following in the above-identified application:

- ☒ Response/Amendment ☐ Petition to extend time to respond  
☒ New fee as calculated below ☐ Supplemental Declaration  
☐ No additional fee  
☒ Other Declaration Under 37 CFR 1.131 and Exhibits Fee\$

CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	33	MINUS	33	= 0	X \$50	\$ 0
INDEP. CLAIMS	3	MINUS	3	= 0	X \$200	\$ 0
<input type="checkbox"/> FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM					+ \$360	\$ 0
EXTENSION FEE	<input checked="" type="checkbox"/> 1st Month \$120	<input type="checkbox"/> 2nd Month \$450	<input type="checkbox"/> 3rd Month \$1020	<input type="checkbox"/> 4th Month \$1590		\$ 120
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 120

Charge \$ 120 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450.

Date of Deposit: June 21, 2007

Typed Name: Jeanna Reed

Signature: Jeanna Reed

Respectfully submitted,

John P. Stautner, et al.

By Barry D. Blount

Barry D. Blount

Attorney/Agent for Applicant(s)

Reg No. : 35,069

Date : June 21, 2007

Telephone : 281-970-4545

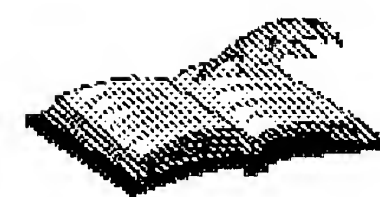


# ATTACHMENT D

## ASSIGNMENT RECORDATION



United States Patent and Trademark Office

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## Assignments on the Web &gt; Patent Query

**Patent Assignment Abstract of Title**

***NOTE: Results display only for issued patents and published applications.  
For pending or abandoned applications please consult USPTO staff.***

**Total Assignments: 2****Patent #:** [7418672](#)**Issue Dt:** 08/26/2008**Application #:** 10628640**Filing Dt:** 07/28/2003**Publication #:** [20040017388](#)**Pub Dt:** 01/29/2004**Inventors:** John P. Stautner, Richard J. Lawson, Brian V. Belmont**Title:** INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION**Assignment: 1****Reel/Frame:** [014177/0428](#)**Recorded:** 12/02/2003**Pages:** 11**Conveyance:** CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).**Assignor:** [COMPAQ INFORMATION TECHNOLOGIES GROUP L.P.](#)**Exec Dt:** 10/01/2002**Assignee:** [HEWLETT-PACKARD DEVELOPMENT COMPANY, L.P.](#)

20555 SH 249

HOUSTON, TEXAS 77070

**Correspondent:** HEWLETT-PACKARD COMPANY

VALERIE BAKES - RECORDS MANAGER

P.O. BOX 272400

INTELLECTUAL PROPERTY ADMINISTRATION

FORT COLLINS, COLORADO 80527-2400

**Assignment: 2****Reel/Frame:** [022824/0195](#)**Recorded:** 06/15/2009**Pages:** 2**Conveyance:** ASSIGNMENT OF ASSIGNORS INTEREST (SEE DOCUMENT FOR DETAILS).**Assignor:** [HEWLETT-PACKARD DEVELOPMENT](#)**Exec Dt:** 06/20/2008**Assignee:** [EXAFLOP LLC](#)

1600 AMPHITHEATRE PARKWAY

MOUNTAIN VIEW, CALIFORNIA 94043

**Correspondent:** BRAKE HUGHES BELLERMANN LLP

C/O CPA GLOBAL

PO BOX 52050

MINNEAPOLIS, MN 55402

Search Results as of: 07/02/2009 11:44 AM

If you have any comments or questions concerning the data displayed, contact PRD / Assignments at 571-272-3350.

Web interface last modified: October 18, 2008 v.2.0.2

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# ATTACHMENT E

## STATEMENT OF MICHAEL FLETCHER OF UNINTENTIONAL DELAY IN CORRECTING CLAIM OF PRIORITY

**S/N 10/628,640**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Stautner et al.	Application:	10/628,640
Patent No.:	7,418,672	Filed:	July 28, 2003
Issued:	August 26, 2008	Docket No.:	0058-029002
Title:	INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF UNINTENTIONAL DELAY IN CORRECTING CLAIM OF  
PRIORITY**

Dear Sir:


1. My name is Michael Fletcher, Registration No. 32,777.
2. The above-referenced application, Serial No. 10/628,640 (the '640 application, now U.S. Patent No. 7,418,672), was filed on July 28, 2003.
3. The '640 application is a continuation of parent application, Serial No 09/742,602 (now U.S. Patent No. 6,600,503, filed December 21, 2000, referred to herein as the '602 application), which is itself a continuation of grand-parent application, Serial No. 08/726,648 (now U.S. Patent No. 6,172,677, filed October 7, 1996, referred to herein as the '648 application).
4. At the time of filing of the '640 application, priority was claimed to the parent '602 application and the specification of the '640 application was amended to reflect the claim of priority to the parent '602 application. See Attachment A, "Transmittal of New Application."

5. To the best of my knowledge, the referenced Transmittal contained an inadvertent omission of any reference to, or claim of priority of, the grandparent '648 application.
6. I was personally involved in the prosecution of the present '640 application. In particular, I was responsible at least for preparation and filing of the response filed February 19, 2008 to the office action mailed November 19, 2007.
7. To the best of my knowledge and to the extent that I was involved in the prosecution of the present '640 application, the entire delay in correcting the inadvertent omission of the claim of priority to the 'grandparent '648 application, from the time of its filing until today, was inadvertent and unintentional, and no disclaimer of the right of priority of the grandparent '648 application was intended or desired.
8. The present '640 application was issued as U.S. Patent 7,418,672, on August 26, 2008.

9. I declare, to the best of my knowledge, that all statements made in this document are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the enforceability of the Application or any patent issued therefrom.

Respectfully submitted,

Date: JUNE 9, 2009

By:   
Michael Fletcher  
Reg. No. 32,777

## ATTACHMENT F

STATEMENT OF BARRY BLOUNT  
OF UNINTENTIONAL DELAY IN  
CORRECTING CLAIM OF PRIORITY

**S/N 10/628,640**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Stautner et al.	Application:	10/628,640
Patent No.:	7,418,672	Filed:	July 28, 2003
Issued:	August 26, 2008	Docket No.:	0058-029002
Title:	INTEGRATED CONTENT GUIDE FOR INTERACTIVE SELECTION OF CONTENT AND SERVICES ON PERSONAL COMPUTER SYSTEMS WITH MULTIPLE SOURCES AND MULTIPLE MEDIA PRESENTATION		

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**STATEMENT OF UNINTENTIONAL DELAY IN CORRECTING CLAIM OF  
PRIORITY**

Dear Sir:

1. My name is Barry D. Blount, Registration No. 35,069.
2. The above-referenced application, Serial No. 10/628,640 (the '640 application, now U.S. Patent No. 7,418,672), was filed on July 28, 2003.
3. The '640 application is a continuation of parent application, Serial No 09/742,602 (now U.S. Patent No. 6,600,503, filed December 21, 2000, referred to herein as the '602 application), which is itself a continuation of grand-parent application, Serial No. 08/726,648 (now U.S. Patent No. 6,172,677, filed October 7, 1996, referred to herein as the '648 application).
4. At the time of filing of the '640 application, priority was claimed to the parent '602 application and the specification of the '640 application was amended to reflect the claim of priority to the parent '602 application. See Attachment A, "Transmittal of New Application."

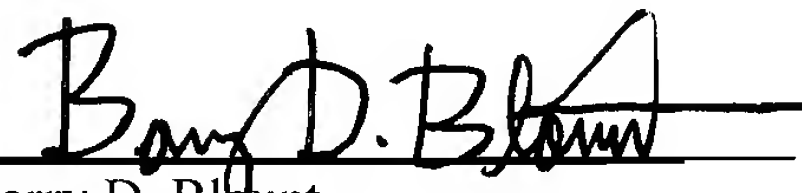


5. To the best of my knowledge, the referenced Transmittal contained an inadvertent omission of any reference to, or claim of priority of, the grandparent '648 application.
6. I was personally involved in the prosecution of the present '640 application, beginning at least as early as the Preliminary Amendment filed September 26, 2003, and including the responses filed June 21, 2007 and October 30, 2007.
7. To the best of my knowledge and to the extent that I was involved in the prosecution of the present '640 application, the entire delay in correcting the inadvertent omission of the claim of priority to the 'grandparent '648 application, from its filing on July 28, 2003 until today, was inadvertent and unintentional, and no disclaimer of the right of priority of the grandparent '648 application was intended or desired.
8. The present '640 application was issued as U.S. Patent 7,418,672, on August 26, 2008.

9. I declare, to the best of my knowledge, that all statements made in this document are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the enforceability of the Application or any patent issued therefrom.

Respectfully submitted,

Date: 8 Jun 09

By:   
Barry D. Blount  
Reg. No. 35,069